UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

MATTHEW SCIBA, in his capacity as the Director of the Texas Freedom Clinic, JEREMY SCHWAB, in his capacity as the founder of Joel 2:25 International, ROBERT VAZZO, in his capacity as an MMFT, TAMMY NICHOLS, in her capacity as a State Representative, CHRISTOPHER SEVIER., in his capacity as De Facto Attorneys General & Special Forces of Liberty Texas Division (Plaintiffs)

V.

JOE R. BIDEN, in his official capacity as President of the United States, JEFF MERKLEY, in his official capacity as the Senate prime sponsor of the Equality Act, XAVIER BECERRA, in his official capacity as the Secretary of Health and Human Services, MERRICK GARLAND, in his official capacity as Attorney General, RICHARD BLUMENTHAL, in his official capacity as the prime sponsor of the Women's Health Protection Act of 2022, JUDY CHU, in her official capacity as the prime sponsor of the Women's Health Protection Act (Defendants)

2-22CV-142-Z

NO JURY DEMAND

VERIFIED ORIGINAL COMPLAINT FOR PRELIMINARY/PERMANENT INJUNCTION AND DECLARATORY RELIEF REGARDING EXECUTIVE ORDER 14075, EQUALITY ACT, THE WOMEN'S HEALTH PROTECTION ACT AND FOR SUBSTANTIALLY SIMILAR POLICIES AND DECLARATION THAT *ROE* AND *CASEY* ARE OVERRULED FOR BASED ON THE CONSTITUTIONAL TEXTUAL BASIS THAT WAS NOT ASSERTED IN *DOBBS*

I. INTRODUCTION

1. NOW COMES the Plaintiffs -

(1) Matthew Sciba, psychotherapist, LPC, with an emphasis in reparative/reintegration talk therapy, and founder of the Texas Freedom Clinic,[1]

(2) Robert Vazzo, psychotherapist and LMFT, with an emphasis in reparative/reintegration talk therapy,

(3) Rep. Tammy Nichols, prime sponsor of pro-life legislation, like the Keep Roe Reversed Forever Act, that conflicts with the challenged federal policies and coalition lead of state Representatives in several states that are advancing pro-life bills,[2]

(4) Jeremy Schwab, founder of Joel 2:25 International[3] and an ex-gay who benefitted from reparative therapy, and

(5) Chris Sevier Esq., a former Rule of Law Judge Advocate General in the United States Military, founder of De Facto Attorneys General, and team leader of Special Forces Of Liberty Texas Division,[4]

- against the Defendants -

(1) President Joe Biden, enactor of Executive Order 140975 and of a retaliation Executive Order in response to *Dobbs v. Jackson Women's Health Organization,* No. 19-1392, 597 U.S. ___ (2022)(referred to simply as *Dobbs* henceforth),

(2) Sen. Jeff Merkley the Senate prime sponsor of the Equality Act,[5]

(3) Rep. Judy Chu the house prime sponsor of the Women's Health Protection Act,[6]

(4) Sen. Richard Blumenthal, the Senate prime sponsor of the Women's Health Protection Act of 2022,

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[1] Plaintiff Sciba's website: https://www.thefreedomclinic.net/about-us/

[2] Rep. Nichols website: https://nicholsforidaho.com. Rep. Nichols is an elected representative and coalition leader of state legislatures from Louisiana, Texas, South Carolina, Alabama, Rhode Island, Maine, West Virginia, and other states that have come together to enact policies based on the Establishment Clause and the Tenth Amendment to force the federal and state government to disentangle itself with leftist secular humanist religious ideology. (See Appendix A). Several State Senators and Representatives wanted to join this case as Plaintiffs, but the Plaintiffs agreed to just have one state lawmaker involve to represent the interest of the rest. However, there are countless State Representatives who are prepared to file a lawsuit that is similar to this one in their state.

Plaintiffs Sciba, Vazzo, Schwab, and Sevier are aiding this coalition to enact these policies in a multitude of states by the powers conferred to them as "the people" found in the text of the Tenth Amendment.

[3] Plaintiff Schwab's website: https://joel225.org/

[4] De Facto Attorneys General website: http://www.specialforcesofliberty.com/

[5] Defendant Merkley's website: https://www.merkley.senate.gov/

[6] Defendant Chu's website: https://chu.house.gov/

(5) Xavier Becerra, the Secretary of Health and Human Services (HHS),[7] and

(6) Attorney General Merrick Garland -

for (a) preliminary and permanent injunctive relief pursuant to 42 USC § 1983 for violating or conspiring to violate the the Establishment Clause, Free Speech Clause, and Free Exercise Clause of the First Amendment of the United States Constitution and the Tenth Amendment of the United States Constitution and for (b) declaratory relief pursuant to 28 USC § 2201 for violating their Clause 3, Article VI oath of office of the United States Constitution by the act of creating, introducing, endorsing, promoting, favoring, respecting, and threatening to enact and/or enforce non-secular policies -

(i) Excutive Order 14075,[8]

(ii) the soon-to-be enacted retaliation Executive Order in response to *Dobbs*,

(iii) the Equality Act,[9]

(iv) the Women's Health Protection Act,[10]

(v) new HHS rules that promote LGBTQ ideology and practices directly and indirectly,

(vi) new HHS rule that allows for public funds to be used for travel vouchers for those seeking to have convenience abortion,

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[7] https://www.hhs.gov/about/leadership/xavier-becerra.html

[8] A link to Executive Order 14075:
https://www.dropbox.com/s/ddwovdjj28gsjjr/Appendix%20J%20EXECUTIVE%20ORDER%2014075.pdf?dl=0

[9] A Link to the Equality Act:
https://www.dropbox.com/s/st49feiqtlinnl8/Appendix%20G%20EQUALITY%20ACT%20BILLS-117s393is.pdf?dl=0

[10] A link to the Women's Health Protection Act of 2022 by Defendant Blumenthal and Defendant Chu.
https://www.dropbox.com/s/8af1pd7x8oka6eh/Appendix%20I%20Women%27s%20Health%20Protection%20Act%200%20BILLS-117s4132pcs%20Women%27s%20Health%20Protection%20Act%20of%202022.pdf?dl=0

(vi) any policy that excessively promotes or endorses LGBTQ ideology and practices directly or indirectly in the United States Military,[11]

(vii) any policy that promotes or requires mandatory non-secular pronoun changes in the Military that are unnatural and part from tradition,

(vii) any policy that permits executive agencies to construct non-secular convenience abortion facilities on federal lands at the taxpayers expense,

(viii) new HHS rules that allows for abortion pills to be shipped to states after they have restricted and banned the deadly practice of convenience abortion in violation of the states civil or criminal codes, and

(viii) all substantially similar policies[12] -

all of which are unconstitutional on their face for the exact same reasons that the Plaintiffs are asking this Court to declare that the holdings in the following cases are constitutional invalid:

(A) *Roe v. Wade,* 410 U.S. 113 (1973) (referred to simply as *Roe* henceforth);

(B) *Planned Parenthood v. Casey,* 505 U.S. 833 (1992) (referred to simply as *Casey* henceforth);

(C) *Obergefell v. Hodges,* 135 S.Ct. 2584 (2015)(referred to simply as *Obergefell* henceforth);

(D) *United States v. Windsor,* 133 S. Ct. 2675 (2013)(referred to simply as *Windsor* henceforth); and

(E) *Bostock v. Clayton Cnty. Bd. of Commissioners,* 139 S.Ct. 1599 (2019) (referred to simply as *Bostock* henceforth).[13]

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[11] This includes so-called "woke policies" that promote LGBTQ ideology in the Military that has caused recruitment to plummet due to "a messaging problem." Recruiting and retention are suffering because honorable Americans do not want to serve an immoral secular humanist theocracy that rewards selfishness over self-sacrifice. https://www.heritage.org/defense/commentary/military-recruiting-faces-its-biggest-challenge-years

[12] These policies may be referred to herein after as the "challenged federal policies."

[13] Under Fed R.Civ. P. 8, a complaint is supposed to be short and sweet. The Plaintiffs' apologize to the Court and to the Defendants for submitting such a long complaint in a case where the Court is being asked to interpret the defendants' policy actions in view of the United States Constitution. The complexity of the issues and the number of infractions challenged here justify the Plaintiffs' pleading style. If the Defendants bothered to obey the United States Constitution this lawsuit would be unnecessary. Furthermore, the Plaintiffs might be forced to file a motion for temporary restraining order and this complaint is complied to give the Defendants adequate

The Plaintiffs in this case will provide the Court with the authority to further overturn Roe and Casey and to outright overturn Obergefell, Windsor, and Bostick through their stare decisis analysis in light of the evidence and the text of the United States Constitution.

2. The Plaintiffs are presenting this Court with the opportunity through this case to clarify further the inescapable textual Constitutional basis for why *Roe* and *Casey* must be overturned that was not present in *Dobbs*. The Plaintiffs will show that the Establishment Clause of the First Amendment is to the decisions in *Roe, Casey, Obergefell, Windsor, and Bostic* and Executive Order 14075, the Equality Act and the Women's Health Protection Act, and all substantially similar challenged federal policies what the atomic bomb was to Hiroshima and Nagasaki at the end of World War II.[14] Either all of these policies and judicial decisions are constitutionally valid or they are all invalid. There is no middle ground when help up to the light of the federalist papers.

3. The Plaintiffs are big proponents of Justice Thomas's reasoning in his concurrence in *Dobbs*. Justice Thomas was correct - Substantive Due Process is a legal fiction and all cases and related cases built upon that judicial fiction, like *Roe, Casey, Obergefell,* and *Bostic* must be entirely invalidated. However, surprisingly, the Plaintiffs agree with Justice Roberts in his concurrence in *Dobbs,* as he implied that the *Dobbs* case might not have been the right case to overrule the watershed decisions in *Roe* and *Casey*. This is because the Petitioners in *Dobbs*

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notice of the arguments that the Plaintiffs will make in that motion. This is not a case where discovery is needed, and the Plaintiffs waive discovery. The Plaintiffs wrote most of this complaint prior to the official release of the *Dobbs* decision.

[14] In view of the *Dobbs* decision which presents questionable grounds to overcome so-called super precedent, the Plaintiffs will provide this Court with the opportunity to put the final death nail in the coffins of the egregiously wrong decisions in *Roe* and *Casey* by - for the first time ever - framing the matter under the correct and controlling Constitutional prescription under the First Amendment Establishment Clause and the Tenth Amendment. The First Amendment Establishment Clause combined with the Tenth Amendment are the one-two punch that keeps all three branches of the federal government

failed to adequately provide the constitutional textual legal framework to overrule the landmark decisions in *Roe* and *Casey*; however, this case does provide that constitutional framework, and the Plaintiffs ask that this Court to further overrules the egregiously wrong decisions in *Roe* and *Casey* for new constitutional grounds that the Plaintiffs present with convincing clarity through this cause of action.

4. At oral argument in *Casey*, Justice Stevens asked the Petitioners, who were defending a challenged Pennsylvania statute that put restrictions on convenience abortion practices, the following:

> "I'm asking what is the textual basis in the Constitution [for the state to restrict non-secular convenience abortion practices]? You are arguing very vigorously there's no texual basis supporting your opponents position [that the Constitution provides for the right of conveneince abortion].....if you are going to say that there is none, fine, that's perfectly alright."[15]

The answer that the Petitioners should have given Justice Stevens - that the Plaintiffs provide here and now to this Court - is that the Establishment Clause balanced with the Free Exercise Clause, while taken with the states' traditional right conferred under the Tenth Amendment to restrict and regulate certain licentious religious practices, which include convenience abortions and homosexual conduct, is the exact "textual basis" that Justice Stevens was asking for but was never given. To be crystal clear, this is the precise same "textual basis" for why *Roe, Casey, Obergefell, Windsor, and Bostic* must be permanently overruled and why the Equality Act, Executive Order 14075, the Women's Health Protection Act of 2022, and all similar federal policies must be forever struck down and enjoined from being enacted and enforced. In fact, the Establishment Clause is the textual basis for why most of the Democrat party's platform is legally invalid, wasting resources, and cultivating confusion, vandalism, and violence.

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[15] See https://www.oyez.org/cases/1991/91-744 at 00:53:19.

5. At oral argument in *Dobbs,* Justice Sotomayor asked the state of Mississippi, the Petitioners who were defending the constitutionality of Miss. Code Ann. §41-41-191 which restricted convenience abortion practices to 15 weeks in a manner that conflicted with the *Roe* and *Casey* holdings, whether Mississippi's position that life begins at conception was based on Christian religion stating:

> How is your interest anything but a religious view? The issue of when life begins has been hotly debated by philosophers since the beginning of time. It's still debated in *religions*. So, when you say this is the only right that takes away from the state the ability to protect a life, that's a religious view, isn't it? (Emphasis Added). [16]

Mississippi should have responded by stipulating, "yes, Justice Sotomayor, Mississippi's position that life begins at conception is based on neutral self-evident secular observations which just so happen to parallel the doctrines of the Christian religion," and then Mississippi should have countered by pointing out that the idea that life does not begin at conception and that convenience abortion practice is not murder is just Justice Sotomayor's and the Respondents' "religious view" that is based entirely on the unproven faith-based truth claims of the religion of secular humanism. Justice Sotomayor[17] was onto something in her self-defeating line of questioning that was calculated to continue the government's unlawful entanglement with the religion of secular humanism. Justice Sotomayor's faith-based belief that life does not begin at conception, shared by the Defendants here, is equally based on the religion of secular humanism, just as the Plaintiffs' and Mississippi's belief that life begins at conception is based on the religion of Christianity. In her line of questioning, Justice Sotomayor was pulling hard on the thread that must now lead to the total unraveling of *Roe, Casey, Obergefell*, and *Bostock* through this cause of action and others similar case decisions. (See Appendix P - Stare Decisis analysis).

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[16] See Appendix B. Tr. of Oral Arg page 30- 31 quoting Justice Sotomayor in *Dobbs*. See oral argument in *Dobbs:* https://www.oyez.org/cases/2021/19-1392

[17] Justice Sotomayor, like most liberals, cannot hear herself.

The same thread pulled by Justice Sotomayor must also constitute the permanent death nail to any federal policy, like the Equality Act, Executive Order 14075, and Women's Health Protection Act, that seeks to make an unlawful "end-around" the Establishment Clause of the First Amendment of the United States Constitution in a coercive attempt to establish America as a secular humanist theocracy in violation of the social contract that holds our Nation together and at the expense of the powers given to the States and to the people under the express language of the Tenth Amendment.

II. ADDRESSING THE MOST KEY ISSUE AT THE CENTER OF THIS CASE UPFRONT: Issuing A Preliminary/Permanent Injunction Is In The Best Interest Of The Public Because It Will Strengthen The Legitimacy Of The *Dobbs* Decision By Providing The Controlling Textual Basis For Why *Roe* And *Casey* Must Be Permanently Overruled, Which Could Protect The Lives Of Five Supreme Court Justices And Pro-Lifers, Like The Plaintiffs, And The Integrity Of The Court As A Non-Political Institution.

A. Considering The Statements Of Justices At Oral Argument In Dobbs Regarding Serious Stare Decisis Concerns

6. The public will benefit if this Court issues a permanent injunction in this case because it will tie up the dangerous loose ends presented in the *Dobbs'* decision regarding *stare decisis* and safeguard the legitimacy of the federal judiciary as an institution - with the additional benefit of protecting the lives of five Supreme Court justices, their families, and pro-life advocates, like the Plaintiffs, who are being threatened by the secular humanist mob with vandalism and violence all the time.[18] It is a matter of public record that in the wake of the leaked *Dobbs* decision, there have been ominous protests outside of the private residences of five of the Supreme Court Justices, who are opposed to America being established as a secular humanist theocracy by federal overreach. It is also a matter of public record that the Defendants have been non-responsive and have not condemned those unlawful protests, refusing to enforce 18 U.S.

[18] "If abortions aren't safe, then you aren't either." https://www.nytimes.com/2022/05/08/us/madison-anti-abortion-center-vandalized.html

Code § 1507 without justification in a manner that smells like an act of sedition under 18 US Code § 2384. It is also a matter of public record that the Department of Homeland Security is preparing for more violence when the official *Dobbs* decision is published and carries the force of federal law, dismantling *Roe* and *Casey* on valid but admittedly somewhat weak grounds.[19] Some members of the pro-abortion death cult have promised to inflict violence on some of the Plaintiffs and other Christian pro-life groups because of the *Dobbs* decision and their promise to build upon it to restore the rule of law. This threat comes as the result of the Plaintiffs' and others' commitment to defend the integrity of the United States Constitution as it was written and for their unapologetic advocacy of the lives of unborn children. [20]

7. In *Dobbs*, Mississippi sought to ultimately overrule *Roe* and *Casey* by enacting Miss. Code Ann. §41-41-191 because (1) those prior court decisions were "egregiously wrong" and not grounded in Constitutional law to begin with, because (2) the viability line was "arbitrary," [21] and because (3) the "undue burden standard....is perhaps the most unworkable standard in American law." [22] While the Plaintiffs completely agree with Mississippi's arguments, and while the evidence shows that Mississippi's position was correct, Mississippi only offered relatively weak fact-based pragmatic arguments that are debatable by degrees. That is no way to get around *stare decisis* in watershed cases like *Roe* and *Casey* where feelings run high. Mississippi failed to

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[19] https://www.mic.com/impact/supreme-court-roe-abortion-protests-dhs

[20] It is in the public's best interest that this Court issue an injunction in this action as soon as possible because doing so will memorialize the *textual legal basis* in the Constitution for why the Supreme Court had no choice but to overrule the egregiously wrong decisions in *Roe* and *Casey,* under the Establishment Clause of the First Amendment combined with the text of the Tenth Amendment, regardless whether the Justices are "liberal" or "conservative." Presently, the Plaintiffs tend to agree with Kagan, Breyer, Roberts, and Sotomayor's insinuation at oral arguments in *Dobbs* that Mississippi failed to adequately provide a sufficient basis for why the precedents in *Roe* and *Casey* had to be overruled. Yet, where Mississippi fell short, the Plaintiffs do not plan to.

[21] Appendix B page 19 Tr. of Oral Arg. General Stewart Petitioner in *Dobbs*.

[22] Appendix B page 16 Tr. of Oral Arg. General Stewart Petitioner in *Dobbs*.

provide a rock-solid Constitutional textual basis to support its arguments for why *Roe* and *Casey* should be overruled and their precedents totally nullified forever because HB 1510 was not fully framed right. The Plaintiffs, unfortunately, tend to agree with the pro-abortion Respondents in *Dobbs* that Mississippi's arguments were not necessarily strong enough to get around what Chief Justice Roberts described as "super *stare decisis*"[23] presented by *Roe* and *Casey*. [24]

8. At oral arguments in *Dobbs*, Justices Sotomayor, Kagan, Roberts, and Breyer strategically focused heavily on *stare decisis* for good reasons. Justice Breyer pointed out all of the following: (1) *Casey* indicated that *Roe* was a "rare.... watershed" decision "because the country is divided" and "because feelings run high;[25] (2) "overturning a case [like *Roe* or *Casey* must be] grounded in principle and not social pressure, not political pressure;"[26] (3) the *Casey* court indicated that the judiciary should be far more "unwilling to overrule" *Roe* than in the ordinary case;[27] (4) in order to overturn *Roe* and *Casey*, "in the absence of the most compelling reason, to re-examine a watershed decision, would subvert the Court's legitimacy beyond any serious question." [28]

9. Furthermore, Justice Sotomayor added to the *stare decisis* concern by raising the question if *Dobbs* overruled *Roe* and *Casey* simply because the decisions were "egregiously

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[23] The idea that "super Stare Decisis" even exist is a likely a legal fiction. But Stare Decisis does exist, even though there are different interpretations of it. See *Kimble v. Marvel Entertainment*, LLC, 576 U.S. 446 (2015).

[24] Appendix B page 67 Tr. of Oral Arg. Justice Roberts in *Dobbs*.

[25] Appendix B. Tr. of Oral Arg page 9. Justice Breyer in *Dobbs*.

[26] Appendix B page 10. Tr. of Oral Arg. Justice Breyer in *Dobbs*.
The federal judicial branch cannot exceed the scope of its authority under the Constitution, and it cannot allow its decisions to be affected by any extraneous influences such as concern about the publics reaction to its work. See *Cf. Texas v. Johnson*, 491 U.S. 397 (1989); *Brown v. Board of Education*, 347 U.S. 483 (1954). That is true both when the federal judicial branch initially decides a constitutional issue and when it considers whether to over rule a prior decision.

[27] Appendix B page 9 Tr. of Oral Arg. Justice Breyer in *Dobbs*.

[28] Appendix B page 10 Tr. of Oral Arg. Justice Breyer in *Dobbs*. See also *Casey* at 866-867.

wrong" would the Supreme Court "survive the stench" as an "institution" if "people actually believe" that the Supreme Court "is all political?" [29]

10. Additionally, Justice Kagan underscored the same point by stating that "a strong justification in a case like, [Dobbs,] beyond the fact that [Mississippi] think[s] the [*Roe* and *Casey* decisions were] wrong" must be provided. [30] Justice Kagan stated that there have been "50 years of decisions saying that [*Roe* and *Casey* are] part of our law and part of the fabric of women's existence in this country." [31]

11. Additionally, Justice Kagan underscored the same point by stating that "a strong justification in a case like, [Dobbs,] beyond the fact that [Mississippi] think[s] the [*Roe* and *Casey* decisions were] wrong" must be provided. [32] Justice Kagan stated that there have been "50 years of decisions saying that [*Roe* and *Casey* are] part of our law and part of the fabric of women's existence in this country." [33]

12. To complicate matters further as it relates to the case here concerning the Women's Health Protection Act and even the Equality Act by extension and the two challenged related Executive Orders, Justice Kavanaugh stated that "because the Constitution is neutral [on convenience abortion practices], that [the Supreme] Court should be scrupulously neutral on the question of abortion…." and that the matter of regulating convenience abortion "should be left to the people, to the states, or to Congress." Justice Kavanaugh's statements amounted to a "green light" for the Defendants to move forward to enact the Women's Health Protection Act or substantially similar policies.[34]

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[29] Appendix B page 15 Tr. of Oral Arg. Justice Sotomayor in *Dobbs*.
[30] Appendix B page 33 Tr. of Oral Arg. Justice Sotomayor in *Dobbs*.
[31] Appendix B page 35 Tr. of Oral Arg. Justice Sotomayor in *Dobbs*.
[32] Appendix B page 33 Tr. of Oral Arg. Justice Sotomayor in *Dobbs*.
[33] Appendix B page 35 Tr. of Oral Arg. Justice Sotomayor in *Dobbs*.
[34] Appendix B page 77 Tr. of Oral Arg. Justice Kavanaugh in *Dobbs*.

13. Justice Sotomayor provided her own signals for the Defendants to advance the Women's Health Protection Act or a similar and related Executive Order when she stated:

> "There's so much that's not in the Constitution, including the fact that we have the last word. Marbury versus Madison. There is not anything in the Constitution that says that the Court, the Supreme Court, is the last word on what the Constitution means."

Justice Sotomayor implied that Congress or the President - i.e. the Defendants - could legitimately through an instrument like the Women's Health Protection Act of 2022 or through Executive Order codify *Roe* and *Casey* - which would preempt any state statute that restricted or discouraged convenience abortion practice, effectively reviving *Roe* and *Casey* on a federal level and going far beyond their holdings. [35]

14. So what are we to make of all of those positions provided at oral argument as applied here in this injunction action that the Plaintiffs assert will greatly benefit the public and save the legitimacy of the federal judicial branch? The answer is that the "most compelling reason" for why the "watershed" decisions in *Roe* and *Casey* must be permanently overruled is because those decisions violate the Establishment Clause of the First Amendment of the United States Constitution, for the same reason that the Defendants' efforts to enact and enforce the Women's Health Protection Act, the Equality Act, Executive Order 14075, and all of the other challenged federal policies do. The *Roe* and *Casey* decisions have the effect of establishing America as a secular humanist theocracy from the reasonable observer's perspective in the same unlawful manner that the *Obergefell*, *Bostock*, the Equality Act, the Women's Health Protection Act and the other challenged federal policies do in total violation of the Establishment Clause of the First Amendment. This case will show that it is in the public's best interest that this Court issue a preliminary/permanent injunction in this case as soon as possible so that the public will

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[35] Appendix B page 22 Tr. of Oral Arg. Justice Sotomayor in *Dobbs*. See *Marbury v. Madison*, 5 U.S. (1 Cranch) 137 (1803).

understand that the First Amendment Establishment Clause is the wrecking ball to *stare decisis* and precedent principles that protected *Roe* and *Casey* wrongfully for over 50 years - beyond the fact that the decisions were egregiously wrong when they were decided, as the *Dobbs* court found. The Plaintiffs, through this action, provide a constitutional textual position that is "grounded in principle and not social pressure, not political pressure."[36] If this Court agrees with that straightforward and fact-based argument that reflects what the evidence shows, it will serve as the legitimate and permanent undoing of *Roe* and *Casey* "beyond any serious question." [37] It will also likely curb some of the violence and vandalism that the pro-abortion death cult continues to unleash in the wake of the *Dobbs*' decision.[38] It is not something to take lightly. It will also stop the *Roe* and *Casey* decisions from being revived if more secular humanists, like Ketanji Brown Jackson, who pretends to not know what a woman is, are appointed to the Supreme Court by Democrats with the shared paramount goal of proactively working to establish America as a secular humanist theocracy, like Justices Kagan, Breyer, Sotomayor, and other "liberal Justices" have routinely sought to do out the overflow of their intellectual blindness for decades, as they refuse to acknowledge that secular humanism is not only a religion that the government is prohibited from endorsing - it is a dangerous, immoral, and idiotic religion from the perspective of all reasonable observers of ordinary prudence. Community standards do not evolve but people who buy into secular humanism ideology do get desensitized, depersonalized, and deranged, causing them to experience a second-class life by choice.

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[36] Appendix B page 10. Tr. of Oral Arg. Justice Breyer in *Dobbs*. As Chief Justice Rehnquist explained, "The Judicial Branch derives its legitimacy, not from following public opinion, but from deciding by its best lights whether legislative enactments of the popular branches of Government comport with the Constitution. The doctrine of *stare decisis* is an adjunct of this duty and should be no more subject to the vagaries of public opinion than is the basic judicial task" *Casey*, 505 U.S., at 963 (Rehnquist, C.J.)

[37] Appendix B page 10 Tr. of Oral Arg. Justice Breyer in *Dobbs*.

[38]https://freebeacon.com/courts/homeland-security-prepares-for-violence-after-supreme-court-abortion-ruling/

15. The public understands that the "First" Amendment is "first" in the Constitution for a reason, meaning it is arguably the most important and powerful amendment to the Constitution's Bill of Rights, and the "first" part of the "First" Amendment is the Establishment Clause, making the Etablishment Clause the crowning jewel of the United States Constitution. So while *Roe* and *Casey* have been "part of our law" for 50 years as Justice Kagan pointed out in *Dobbs* at oral argument, the Plaintiffs underscore that the Establishment Clause has been part of our law since the inception of our Nation's founding, and is likely the most important and powerful provision of the United States Constitution. The Establishment Clause is the beating heart of the Constitution that keeps us living in harmony with one another despite our membership to different religious organizations that have polar opposite views on many social and fundamental issues that provide us with individual identity and purpose. The Establishment Clause, not the egregiously wrong decisions in *Roe* and *Casey*, is actually "part of the law" that is controlling in accordance with Article VI, Clause 2 of the United States Constitution, and the Establishment Clause is part of the "fabric" of all of our "existence," which includes all women.[39] The Establishment Clause is what puts *Roe*, *Casey*, the Women's Health Protection Act, Defendant Biden's soon-to-be-enacted anti-*Dobbs* retaliation Executive Order, [40] and all of the other challenged federal policies in their respective coffins and nails them shut in perpetuity, and the public and the judicial branch itself would greatly benefit if this Court will find within itself the courage, character, backbone, and strength to step up and make the obvious finding based on the Plaintiffs' arguments that are grounded in the text of the Constitution - not in emotional appeals.

16. To address Justice Sotomayor's concern raised in oral argument in *Dobbs*, the way the Supreme Court can "survive the stench" as an "institution" in overruling *Roe* and *Casey* is if

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[39] Appendix B page 34-35 Tr. of Oral Arg. Justice Kagan in *Dobbs*.
[40] see Decl. Gunter, Wiehle, & Sevier ¶ 19.

this Court in the instant case finds that the Women's Health Protection Act and related policies are unconstitutional under the Establishment Clause analysis provided by the Plaintiffs in this case for the same reason that the holdings in *Roe* and *Casey* were at all times constitutionally invalid from the time that they were handed down.

17. If this Court determines that the Establishment Clause requires the Judicial branch to remain in the words of Justice Kavanaugh "scrupulously neutral" [41] on abortion and LGBTQ issues - and it does - it, therefore, follows that the federal Congress and federal Executive is equally required to remain "scrupulously neutral" on convenience abortion and LGBTQ practices as well, which means that the Defendants' decision to introduce, promote, endorse and threaten to enact and enforced the challenged federal policies is worthy of a permanent injunction. The Establishment Clause equally prohibits both the federal Judiciary and the federal Congress from interfering with the States' rights afforded to the people, which includes the Plaintiffs, under the Tenth Amendment of the United States Constitution to regulate and restrict the questionably moral convenience abortion practices and LGBTQ conduct because such non-secular practices unequivocally (1) promote licentiousness and (2) attempt to justify practices that are inconsistent with the peace and safety of the States.[42] In summary, by siding

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[41] Appendix B page 77 Tr. of Oral Arg. Justice Kavanaugh in *Dobbs*.

[42] The Supreme Court correctly stated in *Davis v. Beason*, 133 U.S. 333, 348 (1890) that "[t]he constitutions of several States, in providing for religious freedom, have declared expressly that such freedom shall not be construed to excuse acts of licentiousness, or to justify practices inconsistent with the peace and safety of the State," and both the federal Judiciary and Congress must return to respecting that in light of the Tenth Amendment. which allows for states to regulate such things pursuant to the states' police power."

For example, the California Consitution states, "Free exercise and enjoyment of religion without discrimination or preference are guaranteed. This liberty of conscience does not excuse acts that are *licentious* or inconsistent with the peace or safety of the State." CAL. CONST. art. I, § 4 (emphasis added). See also these provisions in the different State Constitutions: ARIZ. CONST. art. II, § 12; COLO. CONST. art. II, § 4; CONN. CONST. art. I, § 3; GA. CONST. art. I, § 1, ¶ IV; IDAHO CONST. art. I, § 4; ILL. CONST. art. I, § 3; MINN. CONST. art. I, § 16; MISS. CONST. art. III, § 18; MO. CONST. art. I, § 5; NEV. CONST. art. I, § 4; N.Y. CONST.

with the Plaintiffs, this Court will cause the entire federal government to remain "scrupulously neutral" on "the most contentious social debate[s] in American life," and this will unleash maximized human flourishing, which is a paramount objective of the Plaintiffs, who as Christian patriots care deeply about the welfare of our Constitutional Republic, the integrity of the law, and about protecting the innocence of families to the point that they would risk their lives and well-being to defend them. [43]

18. To recap, issuing an injunction, in this case, is in the public's best interest, because it will demonstrate exactly why the Establishment Clause is to *Roe, Casey, Obergefell, Bostock*, the Equality Act, Executive Order 14075, the Women's Health Protection Act, and the other challenged federal policies what Fat Man and Little Boy were to Hiroshima and Nagasaki at the end of World War II. That realization will preserve the safety, health, and welfare of five Supreme Court justices, their families, and pro-life advocates for generations to come, not to mention what it will do for the welfare of the multitudes of unborn children that the States and the Plaintiffs have an interest in protecting as even the *Roe* court acknowledged.[44] Perhaps, most importantly of all, devout secular humanists Democrats who are thinking of running for office with the sole purpose of entangling our government with the religion of secular humanism will stop doing so. This will allow for the restoration of order and human flourishing in even the blue states that are suffering immensely.

III. NATURE OF THE CASE, PROCEDURAL HISTORY, NATURE OF THE LAW, FACTS, DEFINITIONS

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art. I, § 3 (amended 2001); N.D. CONST. art. I, § 3; S.D. CONST. art VI, § 3; WASH. CONST. art. I, § 11 (amended 1993); WYO. CONST. art. I, § 18.

[43] See Matthew 5:13-16, Galatians 6:9, Hebrews 10:24-25, Hebrews 13:1-3, James 1:27. Appendix B page 77 Tr. of Oral Arg. quoting Justice Kavanaugh in *Dobbs.*

[44]States have a legitimate interest in protecting "potential life." *Roe,* 410 U.S.at 163.

19. **The First Amendment Has Exclusive Jurisdiction Over Sexual Orientation Orthodoxy And Gender Identity Ideology And Convenience Abortion Ideology And Practices, Not The Fourteenth Amendment**:

The United States is a Constitutional Republic, not a secular humanist theocracy. See Under Clause 2, Article VI and the Establishment Clause of the First Amendment of the United States Constitution. [45] That means that the highest level of authority in the Nation is the United States Constitution and not the unexamined assumption of the superiority of our cultural moment, as the Defendants have believed in error through most of their political careers in step with the jaded employees of the liberal media establishment. The United States Constitution is not silent as to how the federal government and all 50 states must respond and react to (1) convenience abortion practices and doctrine and (2) sexual orientation orthodoxy, gender identity ideology, and their associated licentious practices for such matters are governed exclusively by the Establishment Clause and Free Exercise Clause of the First Amendment of the United States Constitution. That is, the Establishment Clause and Free Exercise Clause of the First Amendment have paramount jurisdiction over all things related to the licentious LGBTQ cult and the pro-abortion death cult. The Defendants know or should know that the Substantive Due Process Clause and the Equal Protection Clauses of the Fourteenth and Fifth Amendments of the United States Constitution have absolutely no applicability whatsoever to matters relating to sexual orientation orthodoxy, non-secular self-asserted sex-based identity narratives, gender

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[45] The U.S. Constitution, art. VI, Cl 2 states: "This Constitution, and the Laws of the United States which shall be made in Pursuance thereof;; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land;; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding." As such, "[t]he Constitution of the United States and all laws enacted pursuant to the powers conferred by it on the Congress are the supreme law of the land (U. S. Const., art. VI, sec. 2) to the same extent as though expressly written into every state law." *People ex rel. Happell v. Sischo*, 23 Cal. 2d 478, 491 (Cal. 1943) (citing *Hauenstein v. Lynham*, 100 U.S. 483, 490 (1880);; *Florida v. Mellon*, 273 U.S. 12, 17 (1927).

identity ideology, and convenience abortion practices and that any suggestion to the contrary is intellectually dishonest.

19. **Establishment Clause Defined:**

The Establishment Clause of the First Amendment of the United States Constitution states that the government "shall make no law respecting an establishment of religion. See U.S. Const. Amend. I.

20. **Free Exercise Clause Defined**:

The Free Exercise Clause of the First Amendment of the United States Constitution states that the government "shall make no law...prohibiting the free exercise [of religion]. See U.S. Const. Amend. I.

21. **Tenth Amendment Defined:**

The Tenth Amendment of the United States Constitution states, "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." See U.S. Const. Amend. X. The Tenth Amendment has traditionally allowed the states to regulate licentious religious practices even if they are sacred to different religions at the expense of the Free Exercise Clause of the First Amendment. This is because the Free Exercise Clause is not absolute,[46] and licentious religious practices are not protected anywhere in the text of the United States Constitution. Just about every state Constitution expressly asserts that the state can regulate religious practices that encourage licentiousness or that are inconsistent with the peace and safety of the state.[47]

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[46] *New York v. Ferber,* 458 U.S. 747, 774 (1982).

[47] For example, the California Consitution states, "Free exercise and enjoyment of religion without discrimination or preference are guaranteed. This liberty of conscience does not excuse acts that are *licentious* or inconsistent with the peace or safety of the State. The Legislature shall make no law respecting an establishment of religion. CAL. CONST. art. I, § 4 (emphasis added). See also these provisions in the different State Constitutions: ARIZ. CONST. art. II, § 12; COLO. CONST. art. II, § 4; CONN. CONST. art. I, § 3; GA. CONST. art. I, § 1, ¶ IV; IDAHO

22. **Religion Defined:**

"Religion" means a set of unproven answers to the greater questions like "why are we here," "what should we be doing as humans," "how do we get our identity," and "what happens after death." The term means a closed system and group or community that is organized, full, and provides a comprehensive code by which individuals may guide their daily activities. Religion involves an ultimate concern or sincere belief and can be non-theistic or theistic. (Decl. Coalition of Multi-Racial Pastors ¶ 2 & see the Keep Roe Reversed Forever Act, the School Establishment Clause Act (SECA), and Stop WOKE Act in Appendix A)

23. **Institutionalized & Non-Institutionalized Religion Establishment Clause Applicability:**

The evidence shows that the Establishment Clause of the United States Constitution was never solely designed to prohibit the government from respecting and recognizing the doctrines of institutionalized religions but of non-institutionalized religions, like secular humanism, as well. See the Decl. of Multi-Racial Pastors ¶¶ 1-11. This is especially true as to the religion of secular humanism, which amounts to a disfavored religion under the laws of most states because it (a) promotes licentiousness and (b) attempts to justify practices that are inconsistent with the peace and safety of the public.[48]

CONST. art. I, § 4; ILL. CONST. art. I, § 3; MINN. CONST. art. I, § 16; MISS. CONST. art. III, § 18; MO. CONST. art. I, § 5; NEV. CONST. art. I, § 4; N.Y. CONST. art. I, § 3 (amended 2001); N.D. CONST. art. I, § 3; S.D. CONST. art VI, § 3; WASH. CONST. art. I, § 11 (amended 1993); WYO. CONST. art. I, § 18.

[48] "Licentiousness" was understood by our founders to be too much liberty. There was a widely shared view that too much liberty is as bad as no liberty. See, e.g., NATHANIEL HAWTHORNE, The Minister's Black Veil, in TWICE-TOLD TALES 25–37 (Modern Library 2001) (1837); NATHANIEL HAWTHORNE, THE SCARLET LETTER (Modern Library 2000) (1850); 2 JOHN LELAND, A VIEW OF THE PRINCIPAL DEISTICAL WRITERS OF THE LAST AND PRESENT CENTURY 303, 571 (5th ed. 1755).

The Supreme Court correctly stated in *Davis v. Beason*, 133 U.S. 333, 348 (1890) that "[t]he constitutions of several States, in providing for religious freedom, have declared expressly that such freedom shall not be construed to excuse acts of licentiousness, or to justify practices

24. **Licentious Defined:**

"Licentious" means lacking legal or moral restraints especially - disregarding sexual restraints. The term includes conduct that is sexually deviant, perverted, immoral, lewd, debauched or practices that promotes promiscuity, that appeal to the prurient interests, harms the innocence of children, or erodes community standards of decency. Homosexual conduct, as advocated by the LGBTQ cult, and convenience abortion practices, as advocated by the pro-abortion death cult, are intrinsically, self-evidently, and inherently licentious or promote licentiousness in a manner that erodes community standards of decency and undermines a litany of compelling state interests, while also cultivating extremely damaging secondary harmful effects.

25. **Secular Humanism Defined:**

"Secular humanism" means a faith-based worldview that is also referred to by Theologians, like Pastor Tim Keller, as postmodern-western-individualistic moral relativism, expressive individualism, or antitheism, and is often the mirror opposite of theism.[49] The term refers to a religion that worships man as the source of all knowledge and truth. The term includes a belief system that is centered on the unproven assumptions that there are no moral absolutes and no one moral doctrine should be used as the superior basis for law and policy, except for the religious doctrines of secular humanism. The term includes a series of unproven faith-based assumptions and naked assertions that suggest that morality and truth are man-made conventions and that at the heart of liberty is man's ability to define his own meaning of the universe. The

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inconsistent with the peace and safety of the State," and both the federal Judiciary and Congress must return to respecting that in light of the 10th Amendment allows for states to regulate such things.

[49] Renowned political commentator, Michael Knowles of the Daily Wire calls the religion of secular humanism "gnostic dualism" in his insightful commentaries. https://twitter.com/michaeljknowles/status/1234502922118918145.

term refers to a religion that tends to promote licentiousness and attempts to justify practices that are inconsistent with the peace and safety of the states. The term refers to the belief that man is merely a bundle of chemicals, animated pieces of meat, or accidental particles, that nature is all there is, and that there is nothing after death. Nonsecular self-asserted sex-based identity narratives and sexual orientation orthodoxy are doctrines that are inseparably linked to this religion. The term refers to a religion that has many different denominational sects and is expressed in widely varying ways.[50] See the Decl. of Multi-Racial Pastors ¶¶ 1-11; See the School Establishment Clause Act (SECA), the Stop WOKE Act, and the Keep Roe Reversed Forever Act in Appendix A.[51] The term refers to the religion that the Democrat party is trying to codify above all religions and non-religion.[52]

26. **Convenience Abortion Defined:**

"Convenience Abortion" means an elective or nontherapeutic abortion that means the act of using or prescribing an instrument, medicine, drug, device, or another substance or means with the intent to terminate the clinically diagnosable pregnancy of a woman with knowledge that the termination by those means will with reasonable likelihood cause the death of the unborn child. The term simply means an abortion where the mother terminates the fetus inside of her because the developing child's life is inconvenient to her. An act is not a convenience abortion if the act is performed with the intent to:

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[50] Humanist Manifestos I and II, supra note 176 at 13-15.

[51] (See Decl. Coalition of Multi-Racial Pastors ¶¶ 1-11).

[52] Defendant Biden and Defendant Pelosi might say that they are Catholics in the public, but they are not. This is perhaps why on May 20, 2020, the Bishop of San Fransico denied Defendant Pelosi communion. https://www.washingtonpost.com/politics/2022/05/20/pelosi-abortion-archbishop-communion/. Defendants Pelosi and Biden take a scalpel to the Bible and cut out all of the parts that they do not like, creating a new version of secular humanism, that is more akin to Satanism than to Christian Catholicism.

(a) Save the life of the mother or resolve a medical emergency;
(b) Save the life or preserve the health of the unborn child;
(c) Remove a dead unborn child caused by spontaneous abortion;
(d) Remove an ectopic pregnancy;
(e) Abort and remove an unborn child that is the result of rape or incest reported to a law enforcement agency; or
(f) Abort and remove an unborn child because of a fetal malformation that is incompatible with the baby being born alive.[53]

27. **Secular Abortion Defined:**

"Secular abortion" means the act of using or prescribing an instrument, medicine, drug, device, or another substance or means with the intent to terminate the clinically diagnosable pregnancy of a woman with knowledge that the termination by those means will with reasonable likelihood cause the death of the unborn child, when carried out to:

(a) Save the life of the mother or resolve a medical emergency;
(b) Save the life or preserve the health of the unborn child;
(c) Remove a dead unborn child caused by spontaneous abortion;
(d) Remove an ectopic pregnancy; or
(e) Abort and remove an unborn child that is the result of rape or incest reported to a law enforcement agency.
(f) Abort and remove an unborn child because of a fetal malformation that is incompatible with the baby being born alive.[54]

28. **Gender Identity Defined:**

"Gender identity" is a faith-based ideological construct, like sexual orientation orthodoxy, that stems from the religion of secular humanism. The term involves the belief that a person is the gender that they self-identify as or that they feel they are in the moment. The term is used interchangeably with the term sexual orientation.[55]

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[53] See H3508, the Life Appropriation Act, by Representatives Bennett, McGarry, Burns, Haddon, V.S. Moss, McCravy, Oremus and Thayer of South Carolina.. https://www.scstatehouse.gov/sess124_2021-2022/bills/3508.htm. See HB 596, the Life Appropriation Act, by the New Hampshire state legislature: https://legiscan.com/NH/text/HB596/id/2240690/New_Hampshire-2021-HB596-Introduced.html

[54] *Id.*

[55] In the Equality Act, under section 1101(a)(2) the term "gender identity" means the gender-related identity, appearance, mannerisms, or other gender-related characteristics of an individual, regardless of the individual's designated sex at birth. It is apparent that gender identity is a faith-based construct, whereas the normal secular definition of "gender," referring to

29. **Sexual Orientation Defined:**

"Sexual orientation" means a person's sexual identity or self-identification as homosexual, lesbian, or transgender. The term means a mythology, dogma, doctrine, ideology, or orthodoxy that is inseparably linked to the religion of secular humanism. The term includes non-secular self-asserted sex-based identity narratives that are often predicated on a series of unproven faith-based assumptions and naked assertions that are implicitly religious and have a tendency to erode community standards of decency and promote licentiousness. The term is used interchangeably with gender identity, given that they are both faith-based sexual commentaries on morality that come from the secular humanism religion.[56]

30. **Reasonable Observer Defined**:

"Reasonable observer" means a person of ordinary prudence who views a policy or action from an objective standpoint in the context of the government's longstanding practice and through the lens of self-evident neutral, natural, and non-controversial transcultural-self-evident morality. The reasonable observer standard is the standard used to determine whether

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male and female, is based on neutral, natural, non-controversial observable fact that requires no faith, just intellectual honesty and eyes that see. To be crystal clear, any time the term "sex" is used in Titles II, III, IV, VI, VII, and IX or in any other state or federal policy, can only mean a person who was born "male" or "female." Any other definition or interpretation of the term "sex" lacks a primary secular purpose and is invalid in view of the Establishment Clause of the First Amendment of the United States Constitution. "Female" means a female person, a woman, or a girl, who was born with female anatomy and with two x chromosomes in the person's cells. "Male" means a male person, a boy, or a man, who was born with male anatomy and with x and y chromosomes in the person's cells.

[56] Under section 1101(a)(5) in the Equality Act, "the term 'sexual orientation' means homosexuality, heterosexuality, or bisexuality." But the Equality Act's definition assumes that there are such thing as "homosexuals", when the evidence shows there are only some people who self-identify as homosexual for some period of time. That is, there are no "homosexuals;" there are only self-identified homosexuals. The Free Exercise Clause and Free Speech Clauses of the First Amendment permit a person to self-identify as a homosexual, but the Establishment Clause bars the government from recognizing, promoting, or respecting controversial identity narratives. The definition of sexual orientation in the Equality Act amounts to a religious fiction that is impeached by the testimonies of ex-gays in this action alone who demonstrate that homosexuality is just a non-secular religious identity.

government action has run afoul of the Establishment Clause of the First Amendment of the United States Constitution.

31. **Non-Secular Defined:**

"Non-secular" means faith-based, not proven, predicated on naked assertions, or emotional feelings, not self-evident objective fact.

32. **Non-Secular Self-Asserted Sex-Based Identity Narrative Defined:**

"Non-secular self-asserted sex-based identity narrative" means an unproven faith-based identity that is implicitly religious and is not predicated on self-evident neutral truth and is a story that provides the individual with a sense of purpose and serves as a commentary on sexual practices, sexual preference, faith, morality, and life. The term includes expressions and speech that are often controversial, sexualized, questionably moral, questionably plausible, and have a tendency to erode community standards of decency and promote licentiousness. See the School Establishment Clause Act (SECA), the Stop WOKE Act, and the Keep Roe Reversed Forever Act in Appendix A.

33. **US Supreme Court And US Courts Of Appeals Have Already Recognized That Secular Humanism Is A Religion Prior To Reaching The Invalid Decisions In *Obergefell, Bostock, Roe, and Casey*:**

In terms of actual controlling Supreme Court authority that is applicable to sexual orientation orthodoxy and gender identity ideology, the Defendants know or should know that the United States Supreme Court already found - prior to the erroneous decisions in *Obergefell*, *Windsor, Bostock*, *Roe*, and *Casey* - that secular humanism is a religion for the purposes of the First Amendment of the United States Constitution in:

(A) *Torcaso v. Watkins*, 367 U.S. 488 (1961);[57]

[57] From the inception of the country, until the 1940s religion was defined as theism (a belief in God) by the courts of the United States. See *Reynolds v. United States*, 98 U.S.145, 166-167 (1878), *Davis v. Beason*, 133 U.S. 333 (1890), *United States v. Macintosh*, 283 U.S. 605 (1931).

(B) *School District of A Bington Township, Pa. v. Schempp*, 374 U.S. 203 (1963);

(C) *United States v. Seeger,* 380 US 163 (1965); and

(D) *Welsh v. United States*, 398 U.S. 333 (1970);

Furthermore, the Defendants know or should know that most of the federal courts of appeal have found that secular humanism is a religion for purposes of the First Amendment in cases such as:

(A) *Malnak v. Yogi*, 592 F.2d 197 (3d Cir.1979);

(B) *Theriault v. Silber*, 547 F.2d 1279 (5th Cir.1977);

(C) *Thomas v. Review Bd.*, 450 U.S. 707 (1981);

(D) *Lindell v. McCallum*, 352 F.3d 1107 (7th Cir.2003);

(E) *Real Alternatives,Inc. v. Sec'y Dep't of Health & Human Servs.*,150 F. Supp. 3d 419, 2017 WL3324690 (3d Cir. Aug.4, 2017); and

(F) *Wells v. City and County of Denver*, 257 F.3d 1132 (10th Cir. 2001).

30. Because the United States Supreme Court recognized that secular humanism is a religion, the Free Exercise Clause and the Establishment Clause of the United States Constitution are triggered, and there are implications as to how the government must respond to secular humanist doctrine and practices.

34. **Testimonies Of Ex-Gays, Persecuted Christians, Medical Experts, And Religious Experts Inseparably Link LGBTQ Doctrine To The Religion Of Secular Humanism In A Manner That Invokes The Establishment Clause:**

Countless former self-identified homosexual activists, medical experts, religious experts, and persecuted Christians have testified under oath that convenience abortion beliefs and non-secular self-asserted sex-based identity narratives, such as homosexuality and

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From the 1940s forward, religion has included non-theism and theism for purposes of the First Amendment Establishment Clause of the United States Constitution. See *Torcaso v. Watkins*, 367 U.S. 488, 495 n. 11 (1961), and *United States v. Seeger*, 380 U.S. 163 (1965).

transgenderism, sexual orientation, and gender identity are doctrines, orthodoxies, ideologies, and dogmas that are part of a worldview consisting of a series of unproven faith-based assumptions and naked assertions that are implicitly religious and inseparably linked to the religion of secular humanism. See Decl. Alliance of Black and White Ex-Gays and Ex-Trans. ¶ 7; Decl. Pastor Penkoski ¶¶ 1-34; Decl. Lisa Boucher ¶¶ 1-10; Decl. Christian Resistance ¶¶ 1-21; Decl. Dr. Cretella ¶¶ 1-20; Decl. Dr. King ¶¶ 1-20; Decl. Pickup ¶¶ 1-10; Decl. Black ¶¶ 1 - 10; Decl. Mehl ¶¶ 1-10; Decl. Quinlan ¶¶ 1-41.[58]

35. As demonstrated in *Dobbs*, there are countless medical experts and theologians that demonstrate the belief that convenience abortion is not murder or immoral or that life does not begin at conception is a paganistic belief that is inseparably linked to the religion of secular humanism. The practice of sacrificing children in the womb on the altar of convenience is inherently religious in nature.

36. **The Licentious LGBTQ Cult Meets The Legal Definition Of A Religious Organization:**

The Defendants know or should know that the licentious LGBTQ cult and the pro-abortion death cult are centered on a "closed system" that is organized, full, and provides a comprehensive code by which individuals may guide their daily activities, making LGBTQ and convenience abortion secular humanism meet the legal definition of religion as defined by the judiciary in cases such as *United States v. Seeger*, 380 US 163 (1965); *Welsh v. United States*, 398 U.S. 333 (1970); *Real Alternatives, Inc. v. Sec'y Dep't of Health & Human Servs.*,150 F. Supp. 3d 419 (3d Cir. Aug. 4, 2017).[59] See the Decl. of Multi-Racial Pastors ¶¶ 1-11.

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[58] Plaintiff Sevier filed a motion for ECF filing contemporaneously with this complaint. Once that motion is granted, he will file the declarations referenced in this lawsuit through ECF filing system to save judicial economy and to ease the burden on the clerk's office.

[59] The court in *Real Alternatives, Inc. v. Sec'y Dep't of Health & Human Servs.*,150F. Supp. 3d 419, 872 (3d Cir. Aug. 4, 2017), provided a legal definition of non-institutionalized religions

37. **Religious Implications Of LGBTQ Symbols:**

Instead of having a cross, the ten commandments, or the star and crescent, the licentious LGBTQ cult has the rainbow-colored flag to symbolize its religious narrow and exclusive beliefs, practices, and values. Even though the secular humanists only admit that the licentious LGBTQ cult is a religion when it suits their jaded interests under the Free Exercise Clause to promote their dogma, the licentious LGBTQ cult is a religion for purposes of the Establishment Clause as well, which means that the government cannot promote, respect, endorse, or favor the licentious LGBTQ cult through direct or symbolic government action to include the creation, introduction, and threatened enforcement of the non-secular Equality Act and the Women's Health Protection Act, which otherwise gives the impression that secular humanism is the official and favored religion of the Nation.[60]

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when it stated: "we detect a difference in the 'philosophical views' espoused by [the plaintiffs], and the 'secular moral system[s]...equivalent to religion except for non-belief in God' that Judge Easterbrook describes in *Center for Inquiry,* 758 F.3d at 873. There, the Seventh Circuit references organized groups of people who subscribe to belief systems such as Atheism, Shintoism, Janism, Buddhism, and secular humanism, all of which 'are situated similarly to religions in everything except belief in a deity.' *Id.* at 872. These systems are organized, full, and provide a comprehensive code by which individuals may guide their daily activities." The licentious LGBTQ cult that the Equality Act endorses, respects, favors and promotes is "organized, full, and provide[s] a comprehensive code by which [self-identified homosexuals, self-identified transvestites, and other] individuals may guide their daily activities" and is inseparably linked to the religion of secular humanism. See https://secularhumanism.org/category/featured/rights-gays-and-otherwise/. The same exact thing can be said for the pro-abofrtion death cult. https://www.plannedparenthood.org/planned-parenthood-greater-washington-north-idaho/who-we-are/our-beliefs

[60] The Establishment Clause of the First Amendment of the United States Constitution taken with the similar provisions of every state Constitution that say the same thing requires that every single pro-LGBTQ policy on the state and federal level must be totally invalidated no matter whose feelings it hurts. While *Dobbs* combined with this case must forever destroy *Roe* and *Casey,* which merely sends the issue of at what point to restrict convenience abortion back to the states, reversing *Obergefell, Windsor,* and *Bostic,* does not merely simpy the issue of gay marriage back to the states, it literally invalidates all of the pro-gay policies that are otherwise destroying our Nation from the inside out and inflicting immeasurable injuries on communities and standards of decency.

38. **Some Facts That Show That The Pro-abortion Death Cult Is Inseparably Linked To The Religion Of Secular Humanism.**

a.. The secular humanist manifesto II has asserted convenience abortion practice as a sacred sacrament in their licentious anti-theistic religion.[61]

b. There are four key unproven faith-based truth claims that make up the core doctrine of the pro-abortion death cult in order to normalize convenience abortion practices in America. These unproven truth claims expose the pro-abortion death cult as a denominational sect of the religion of secular humanism.

c. The first religious tenant of the pro-abortion death cult is that convenience abortion is "a medical issue, not a moral one," even though the first tenant taught in medical school is "do no harm" under the Hippocratic oath. It takes a lot of faith to believe that this unproven truth claim is plausible when convenience abortion involves a violent procedure and the cruel dismemberment of a developing child, oftentimes that has a beating heart and recoils at an abortionist's attempts to kill him or her.[62]

d. The second paramount religious principle advanced by the pro-abortion death cult is that abortion alleviates social and racial inequality. It takes a lot of faith to believe that is true when the evidence shows that the pro-abortion death cult targets the most vulnerable populations and exploits them emotionally and financially. *Id.*

e. The third paramount religious principle advanced by the pro-abortion death cult is that "legal abortion saves women's lives." This takes a huge amount of faith to believe is true when the number of deaths in legal abortions is about the same as in illegal abortions. Plus

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[61] https://americanhumanist.org/what-is-humanism/manifesto2/

[62] (See https://www.dailywire.com/videos/choosing-death-the-legacy-of-roe)

convenience abortion undeniably takes the potential life of the baby in the woman, approximately half of which are female. *Id.*[63]

f. The fourth paramount religious principle advanced by the pro-abortion death cult is that pro-life advocates just want to control women. That takes a lot of faith to believe when the pro-death community has always used women for its own exploitative purposes.[64] The Plaintiffs believe that women have the right to do what they want with their own body in general, but when it comes to convenience abortion there is more likely than not another person's body involved and that changes things. Women should be able to do what they want with their bodies but not at the expense or at the death of another person's body that is temporarily in their womb because of choices they made. *Id.*

39. **Matters Of "Religion," Not "Medical Science":**

While the licentious LGBTQ cult and the pro-abortion death cult have employed so-called medical experts and scientists who argue that there is a "gay gene" and that "a baby in the womb is not a person" in the same way that cigarette manufacturers once employed medical experts and scientists to assert that smoking cigarettes was good for a person's health, there are medical experts who argue that there is no such thing as a "gay gene" any more than there is a "rape gene" and that dismembering the body of a separate baby in the womb on the altar of convenience is murder. See Decl. Dr. Cretella ¶¶ 1-20; Decl. Dr. King ¶¶ 1-20. The Plaintiffs stipulate that both sets of findings from these medical experts and scientists meet the *Daubert* standard, even though the Plaintiffs personally believe that the idea that there is a gay gene that

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[63] https://www.bound4life.com/statistics

[64] Lila Rose at www.liveaction.org and Ryan Bomberger at https://www.theradiancefoundation.org/ make that case with convincing clarity.

warrants special civil rights is implausible and removed from reality - Plaintiff Schwabs' life experience proves it.[65]

40. Since the Plaintiffs stipulate that it is not officially proven one way or the other whether there is a "gay gene" or whether life begins at conception, this Court has subject matter jurisdiction to hear this action brought under the Establishment Clause of the First Amendment because the evidence shows that sexual orientation orthodoxy and gender identity ideology are religious concepts and because the evidence shows that convenience abortion practices are non-secular procedures, not medical ones. The Defendants are guilty of attempting to coercively impose LGBTQ and convenience abortion dogma on the whole of the Nation through government action by way of a series of imperialistic power plays with the end goal of establishing that America is a secular humanist theocracy and that all non-observers of their favored religion are unwelcomed. See Decl. Alliance of Black and White Ex-Gays and Ex-Trans.

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[65] To underscore the point further that convenience abortion and LGBTQ issues are a matter of religion, at oral argument in *Dobbs,* Justice Sotomayor implied that only a "small fringe of doctors" believed that life begins at conception and that such medical/scientific findings might not "fit the Daubert standard." Appendix B page 18 Tr. of Oral Arg in *Dobbs*. Justice Sotomayor. See *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, 509 U.S. 579 (1993). Conversley, Justice Alito, raised the point that "there secular philosophers and bioethicists who take the position that the rights of personhood begin at conception or at some point other than viability," and that those findings do meet the *Daubert* standard indeed. Appendix B page 32 Tr. of Oral Arg. Justice Alito in *Dobbs*.

The Solicitor General of Mississippi should have stipulated - as the Plaintiffs do here and now - that there are medical experts/scientists on both sides who have provided inconsistent findings that meet the *Daubert* standard. Some medical/scientists/experts have provided findings that life does not begin at conception, making abortion non-murder, and some have provided findings that life does begin at conception, making abortion murder. The Solicitor General of Mississippi should have made the argument - as the Plaintiffs do here and now - that the state of Mississippi was not out to "prove" or "disprove" whether or not life begins at conception but rather that the matter is not officially settled and is, therefore, a matter of religion and that the policy decision created in *Roe* and *Casey* had to be overturned for violating the Establishment Clause because those decisions have had the effect of establishing America as a secular humanist theocracy and interfered with the states' traditional right under the 10th Amendment to regulate religious practices that promote licentiousness and attempt to justify practices that are inconsistent with the peace and safety of the states.

¶ 7; Decl. Pastor Penkoski ¶¶ 1-34; Decl. Lisa Boucher ¶¶ 1-10; Decl. Christian Resistance ¶¶ 1-21; Decl. Dr. Cretella ¶¶ 1-20; Decl. Dr. King ¶¶ 1-20.[66]

41. ***Lemon* Test Defined:**

"*Lemon* test" means a three-prong test originally created by the United States Supreme Court in *Lemon v. Kurtzman*, 403 U.S. 602 (1971).[67] The *Lemon* test is the primary test used by the judicial branch to determine whether government action is unconstitutional under the Establishment Clause of the First Amendment of the United States Constitution. Government action violates the Establishment Clause if the action fails to satisfy any of the prongs. The test requires that state action or government policy:

(A) have a valid secular purpose;

(B) not have the effect of advancing, endorsing, or inhibiting religion;

(C) not foster excessive entanglement with a particular religion.

The Defendants know or should know that by creating, introducing, promoting, and seeking to enact the Equality Act, the Women's Health Protection Act, Executive Order 14075, and all of the other challenged federal policies, the Defendants have engaged in government action at the

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[66] If anything, the Defendants' unconstitutional drive to excessively entangle our government with the licentious religion of LGBTQ secular humanism and pro-abortion ideology tends to demonstrate why homosexuality and convenience abortion practices should have remained illegal for the same reason that polygamy remains illegal today. See *Reynolds v. United States*, 98 U.S. 145 (1879). LGBTQ practices and convenience abortion practices causes its citizens to become deranged, desensitized, depersonalized, dehumanized, delusional, and dangerous. Just consider the protests outside of the Supreme Court Justices' houses in the wake of a leaked *Dobb*'s decision. Even the leaking of the decision is evidence of this derangement.

[67] The courts have been using three different tests to determine if a government actor has violated the Establishment Clause - the *Lemon* Test, the coercion test, and the endorsement test. The problem is that different courts have used different tests and have even change the meaning of those tests depending on the outcome they seek to accomplish. Many justices have indicated that the *Lemon* Test is itself a "lemon" that has been "squeezed dry." Yet, the Plaintiffs agree with Justice Breyer in his insinuation at oral argument in *Kennedy v. Bremerton School District*, 597 U.S. ___ (2022) that "despite its imperfections," *Lemon* may be the best we've got for now at least. Page 77 Tr. of Oral Arg. quoting Justice Breyer in *Kennedy v. Bremerton School District*, 597 U.S. ___ (2022).

taxpayer's expense that violates all three prongs of the *Lemon* Test from every angle.[68] While the Lemon test might be dead as it applies to government interaction with institutionalized religions in view of the decision in *Kennedy v. Bremerton School District*, 597 U.S. ___ (2022), it is very much alive as it applies to governments entanglement and endorsement of non-insitutionalized religions like secular humanism.

42. **Failing One Prong Of *Lemon* Standard:**

The United States Supreme Court in *Edwards v. Aguillard,* 482 U.S. 578 (1987) and *Agostini v. Felton*, 521 U.S. 203 (1997) found that if government action fails one prong of the *Lemon* test, it is unconstitutional, and the Defendants know or should know that creating, introducing, enacting, promoting, and enforcing policies that force states to allow for convenient abortions to take place up until the time of birth or that respect and favor LGBTQ dogma, like conversion therapy bans, transgender surgery policies, trans sports in public schools policies, gay marriage policies, trans bathroom policies in public schools, and others, fail all three prongs of the *Lemon* test by a landslide. The Defendants' overreach has demonstrated that not only are the Equality Act, Women's Health Protection Act, Executive Order 14075, and similar policies unconstitutional, so are all of the existing similar policies on the federal and state level that directly or indirectly elevate LGBTQ ideology and convenience abortion doctrine over other religions or non-religion.

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[68] In an effort to keep the Article III branch honest, the Plaintiffs have been pressing the state legislatures in all of the red states to codify the *Lemon* Test in bills like the School Establishment Clause Act (SECA) and the Stop WOKE Act. (See Appendix A). The Plaintiffs have also been defining taxpayer standing as an extremely low threshold to meet in state statutes so that the judicial branch must apply their definition, so as to not avoid making decisions in profoundly important and costly constitutional controversies on silly technicalities in a manner that more or less repeals the Bill of Rights in unthinkable ways that our founding fathers did not intend.

43. **Facts That Relate To Introduction, Promotion, And Threatened Enforcement Executive Order 14075, The Equality Act, And Similar Federal Policies Fails Prong I Of Lemon.**

The term "sex" as it refers to male and female is a neutral and secular term and can be included in government policies without violating the Federal Constitution. However, the Equality Act attempts to enshrine sexual orientation orthodoxy and gender identity ideology over 75 times by changing the secular definition of the term "sex" in federal statutes, which would cause Titles II, III, IV, VI, VII, and IX to no longer have a primary secular purpose and, therefore, be unconstitutional under the Establishment Clause of the First Amendment under both the Establishment Clause of the First Amendment and Article VI Clause 2 of the United States Constitution. That is, the 75 attempts in the Equality Act to entangle Titles II, III, IV, VI, VII, and IX with sexual orientation orthodoxy and gender identity ideology violate the principles of the separation of church and state. This is the exact problem with the egregiously wrong *Bostock* decision where Justice Gorsuch and the other liberal Justices in the Majority failed to understand that interpreting the term "sex" to respect sexual orientation orthodoxy and gender identity ideology in Title VII and other statutes causes those statutes to lose their primary secular purpose, invalidating them for purposes of enforcement under the Establishment Clause of the First Amendment for purposes of prong I of *Lemon*.[69] In the hierarchy of authority, the Establishment Clause trumps the federal statute Title VII if it loses its secular purpose. See Article VI of the United States Constitution.

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[69] To speak plainly, finding that the term "sex" means sexual orientation in Title VII serves to establish America as a secular humanist theocracy. It is exactly why the plaintiffs in *Quinlan v. HHS*, 1:20-cv-02261-TNM (D.D.C 2020) are arguing that HHS cannot change its Rules to force doctors to perform transgender surgeries or to provide minors or adults with puberty blockers in violation of their Hippocratic oath.

44. Prong I of the *Lemon* test challenges whether the stated goal of a government policy decision is being reached or whether an ulterior agenda is being advanced to promote one religion over other religions or to elevate a religion over non-religion. Because the legislative findings in the Equality Act assert that the stated goal is tolerance, equality, and unity and because the evidence shows that once implemented the policy will fail to achieve that goal and simply elevate one religious worldview over all others, the policy fails prong I of *Lemon.*

45. On June 15, 2022, at a press conference during the signing of Executive Order 14075, Defendant Biden made the following statements to make it clear to the American public that Executive Order 14075 was tied directly to the Equality Act:

> Pride is back at the White House....today, I am about to sign an Executive Order that directs key federal agencies to protect our communities from those hateful attacks and advances equality families [Sic]. My order will use the full force of the federal government to prevent any inhumane practices of conversion therapy. This is the first time the federal government is leading a coordinated response against this dangerous discredited practice....but Congress has to pass an act as well and that's the Equality Act."[70]

46. Executive Order 14075 commands that HHS, HUD, DOJ, the State Department, and other executive agencies promote, endorse, respect, and favor licentious LGBTQ ideology through the organs of government. Executive Order 14075 commands that many administrative agencies put the religion of secular humanism, as advocated by the licentious LGBTQ demoninational sect, over non-religion and over other religions.

47. On the surface, Executive Order 14075 pretends to have a secular purpose by falsely treating self-identified homosexuals and self-identified transvestites as a people group, which

[70] See https://www.youtube.com/watch?v=EHbHLL9Rgk4; see DE # 26, Decl. Gunter, Wiehle, Sevier ¶ 14. Defendant Biden made these statements to show that he is conspiring with the Defendants to enact policies in concert effort to undermine the Constitution. Defendant Biden's statements at the press conference shows that Defendants Merkley's Equality Act synergistically goes with Defendant Biden's Executive Order 14075. Defendant Biden and Defendant Merkely are racketeering in unlawful Constitutional action in view of the Establishment Clause and the Tenth Amendment of the United States Constitution.

according to ex-gays, like Plaintiffs Schwab, they are not. Executive Order 14075 is a non-secular sham because it (a) hails to promote "diversity," but actually promotes "perversity;" because it (b) pretends to advance "tolerance," but actually encourages "dominance;" because it (c) alleges that it is promoting equality, when it makes members of the licentious LGBTQ superior to Christians.

48. In the wake of the introduction of legislative policies, like the Equality Act, or egregiously wrong judicial decisions, like *Obergefell*, there has not been a landrush on gay marriage, unity, or tolerance, instead, there has been a landrush on public elementary schools and public libraries by self-identified homosexuals, self-identified transvestites, and devout secular humanist activists, who feel entitled to infiltrate those public facilities for the sole purpose of targeting and indoctrinating minors with licentious LGBTQ doctrine at the taxpayer's expense with the government's stamp of approval. [71]

[71] The MAPs movement (minor attracted person) and the sexual grooming of minors in public schools have grown traction and flow directly out of the *Obergefell* decision. https://www.lgbtmap.org/equality-maps/profile_state/KY. All reasonable parents of ordinary prudence from around the Nation are fed up for good cause so the idea that there is not a serious national push to overrule *Obergefell* as the majority in *Dobbs* insinuated is patently false and should be completely irrelevant to the cold and neutral umpires on the Article III branch if it wants to retain its principled legitimacy. The Majority in *Dobbs* makes a statement that completely exposes the Court as a shameful political actor that is following popular opinion by stating, "Unable to show concrete reliance on *Roe* and *Casey* themselves, the Solicitor General suggests that overruling those decisions would "threaten the Court's precedents holding that the Due Process Clause protects other rights." Brief for United States as Amicus Curiae 26 (citing *Obergefell v. Hodges*, 576 U. 8. 644 (2015); *Lawrence v. Texas*, 539 U. S. 558 (2008); *Griswold v. Connecticut,* 381 U. S. 479 (1965)). That is not correct for reasons we have already discussed. As even the *Casey* plurality recognized, "[a]bortion is a unique act" because it terminates "life or potential life." 505 U.S, at 852; see also *Roe*, 41 0U.8., at 159 (abortion is "inherently different from marital intimacy," "marriage," or "procreation"). And to ensure that our decision is not misunderstood or mischaracterized, we emphasize that our decision concerns the constitutional right to abortion and no other right. Nothing in this opinion should be understood to cast doubt on precedents that do not concern abortion." See page 66 of the Dobbs decision. Justice Alito, who authored the leak opinion, apparantly does not understand that Constitutional interpretation is not a negotiation, and the undoing of *Roe* and *Casey* has set up *Obergefell* and *Bostic* to be overturned outright, since they too were decided on the exact same egregiously wrong framework that *Roe* and *Casey* were decided upon. The Southern states and the states in the the

49. Furthermore, in the wake of the introduction of all policies, like the Equality Act, Executive Order 14075, or the egregiously wrong judicial decisions, like *Obergefell* and *Bostic*, there has not been a landrush on gay marriage, unity, or tolerance, instead, there has been a landrush on the social marginalization and violent oppression of non-observers of the licentious religion of LGBTQ secular humanism - to include the oppression of the Plaintiffs. The goal of secular humanist's cult is not "tolerance." It is "dominance." In an honest world, the Equality Act would be retitled to the "Inequality Act" because it is undeniably crafted to allow for discrimination against non-observers of the religion of secular humanism. It is this social marginalization and violent oppression by the introduction of policies, like the Equality Act and Executive Order 14075, that has inflicted direct and concrete injury on the Plaintiffs and given them Article III standing to proceed here.[72] If we have learned anything from the government's

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midwest - especially - do not welcome the secondary harmful effects that the *Obergefell* has undeniably unleashed upon them. Their objection is not based on "bigotry" but on "biology." Any reasonable parent knows that it is an act of extreme cruelty to encourage their child to engage in immoral conduct, and most Americans do not want pro-LGBTQ policies in place that normalize and encourage immoral and licentious LGBTQ practices that proliferates verifiable derrangement and perversion that is incredibly injurious to families and communities that are located far away from the beltway in the District of Columbia were the Supreme Court sits. Justice Alito's attempt at compromise - alone - exposes just how ominous and brutish the licentious LGBTQ cult is. From this passage in the *Dobbs* decision, it is beyond obvious that the thuggish LGBTQ cult is holding the country hostage, as it very obviously always set out to do. The members of the licentious LGBTQ cult are more often than not bullies because they are driven by guilt and shame that they do not know what to do with. This was also true in the 1930s, when Ernst Röhm's Sturmabteilung, or SA; Brownshirts Adolf Hitler's Storm Troopers, which was rife with practicing LGBTQ members roamed the streets to intimidate belief in their religious ideology.

[72] Policies that excessively promote licentious LGBTQ ideology ring the dinner bell that allows ravenous secular humanists to act out of the overflow of their moral superiority complex and victimize non-observers of their asinine religion. In fact, in the wake of the Plaintiffs outspokenness against the government's unlawful union with the licentious LGBTQ cult, some of the Plaintiffs have been so viciously and maliciously libeled by the fake news liberal media that they created the Truth In Reporting Act (TIRA), the Stop Guilt By Accusation Act, and Kyle's Law for all 50 states in response to impose serious restriction on the fake news media in a manner that accords with the First Amendment. See Appendix A. See Understanding the Stop Guilt By Accusation Act: https://www.youtube.com/watch?v=FTnrd72xNTI&t=2s. Now the media is scared to death of at least some of the Plaintiffs.

egregiously wrong decision to entangle itself with the licentious LGBTQ cult and the pro-abortion death cult, it is that people who are "intolerant" of "intolerant people" are "intolerant," that people who are "judgmental" against "judgmental people" are "judgmental," and that people who are "dogmatic" about not being "dogmatic" are themselves the most "dogmatic" of all.[73] See the Defendants or just consider the protesters outside of the Supreme Court Judge's homes. Any lingering question about whether the secular humanist church is hell-bent to dominate and use the government to establish America as a secular humanist theocracy through any means necessary has been resolved by the non-responsiveness to the illegal protests outside of originalists Supreme Court Justices' homes that Defendant Garland refuses to shut down as required by 18 U.S. Code § 1507.[74] Just imagine if one or all of the five Justices who are the target of the protests are killed because of Defendant Biden's non-responsiveness and what the fallout would be? Would President Biden be permitted to

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[73] When a LGBTQ cult member floats that "love is love" what they really mean is that they are ok with government assets being used to crush anyone who dares to disagree with their licentious religious worldview on sex, faith, marriage, and morality. Such a position is objectively "unloving" by definition. The idea that the litentious LGBGT cult is about love is a sham. The fact of the matter is that "love without truth is just shallow sentimentality." Preverse LGBTQ sexual conduct is not "love," but traumatic sexual exploitation that goes against human nature and is self-evidently immoral for the in the same way that bigamy, child sex abuse, pedophilia, and beastiality are.

[74] Just because the Nation had to wait more than 50 years to see *Plessy v. Ferguson,* 163 U.S. 537 (1896) and *Roe* reversed, the Country cannot seriously be expected to wait 50 years to see *Obergefell* reverse no matter how severe the LGBTQ cult's violent and ostracising intimidation tactics threaten and hold the Supreme Court and the rest of Country hostage. If we are required to wait 50 years for the Supreme Court's membership to change only to then challenge *Obergefell*, some obnoxious leftist Justice will suggest that we should have challenged *Obergefell* earlier, just as Justice Kagan in *Dobbs* said that *Roe* should have been challenged earlier in order for it to be overturned. What a terrible ploy. The best thing that Supreme Court can do as an institution to survive is to as soon as possible rip the bandaid off and admit that *Obergefell* and *Bostic* decisions were egregiously wrong and their results have been absolutely disasterous for the entire nation - generating irreconcilable division, economically ruinous widespread cancel cultural, and rampant sexual exploitation of minors by the licentious LGBTQ cult through the normalization of perversion with the government's stamp of approval.

appoint five new Justices? People who are willing to kill babies in the womb up until the time of birth are capable of doing anything to get their way.

50. **Facts That Relate To The Introduction Of The Women's Health Protection Act Failing Prong I Of Lemon.**

The evidence shows that the Women's Health Protection Act fails prong I of Lemon because it lacks a primary secular purpose. The primary purpose of this act is to force all 50 states to do away with any semblance of a restriction on convenience abortion, a practice that the citizens of a majority of the states find to be morally repugnant and more akin to the murder of a defenseless child than a mundane removal of a cluster of cells as the Defendants and the pro-abortion death cult believe for self-serving reasons.[75] The Defendants are not ok with allowing the Democratic process to play out in each state, permitting the citizens of each state to decide whether to restrict or prohibit a religious practice that unequivocally promotes licentiousness because the Defendants hate our Constitution and despise Christians, and have no sincere desire to uphold the Constitution as they are required to pursuant to their oath of office under clause 3 of Article VI of the United States Constitution. The Defendants' conduct is not motivated by goodwill but out of the overflow of a moral superiority complex that is supremely irrational and objectively dangerous.

52. The attempts of Supreme Court justices, like Chief Justice Roberts and Justice Breyer, to treat the egregiously wrong decisions in *Roe* and *Casey* as "super precedent" is itself a form of proof that those decisions themselves, like the Women's Health Protection Act, are

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[75] Section (3) subsection (a) paragraph (8) of the Women's Health Protection Act of 2022 does away with any policy that amounts to "[a] prohibition on abortion at any point or points in time prior to fetal viability, including a prohibition or restriction on a particular abortion procedure." Section (3) subsection (b) paragraph (1) subparagraph (B) of the Women's Health Protection Act of 2022 does away with any policy that even gives the potentially threatens to "impedes access to abortion services."

non-secular shams that lack a primary secular purpose. When government actors make things up to justify the continued entanglement of our government with one religion, it tends to expose itself as a sham for purposes of prong I of *Lemon*.

53. Government action is a sham for purposes of prong I of *Lemon* if it fails to accomplish its alleged intended purpose. So, what is the purpose of the Women's Health Protection Act of 2022 and Biden's related retaliation Executive Order asserted by the Defendants? Is it to protect the bodily autonomy of a person? But which person - the person recoiling in the womb and kicking back to desperately avoid death at the hands of the abortionist who is attempting to murder him or her? The Defendants cannot prove that the baby in the womb that the bill enables to kill is not an actual person. So the Women's Health Protection Act and the related Executive Order are just an effort by the Defendants to excessively entangle our government with their favored religion of secular humanism to further reinforce to themselves and other secular humanists the implausible, irrational, and impeached contention that man is god and that natural law is not real. It is beyond obvious to all reasonable people of ordinary prudence and all reasonable observers.

54. Or perhaps, the primary purpose of the Women's Health Protection Act and related Executive Order is to protect "the constitutional right to terminate a pregnancy" as stated directly in Section 6 subsection (b) of the Equality Act itself. But which part of the Constitution is the act referring to because convenience abortion is not discussed in the Constitution?

55. At oral argument in *Dobbs*, Justice Thomas correctly indicated that *Roe* focused on "privacy" and *Casey* focused on "autonomy."[76] The state of Mississippi in *Dobbs* focused on those decisions being so "egregiously wrong" from the start that they should be overruled

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[76] See Appendix B. Tr. of Oral Arg page 6. Justice Thomas in *Dobbs*.

because the so-called right to privacy and autonomy are not in the Constitution.[77] Here in this case, the Plaintiffs focus on enabling this Court to put a permanent death nail in *Roe* and *Casey* and any Executive Order or federal statute by Congress, like the Women's Health Protection Act and the Equality Act, that attempts to codify *Roe*, *Casey, Obergefell,* or *Bostic* because those federal policies violate the Establishment Clause of the First Amendment of the United States Constitution because they have the effect of establishing America as a secular humanist theocracy and take power away for the States that was conferred to them and their people under the Tenth Amendment of the United States Constitution. While "autonomy" and "privacy" are not in the Constitution, the "Establishment Clause" is. This is not an argument that was made in *Dobbs*, but the Plaintiffs are making that argument here and now in an action involving the Women's Health Protection Act and a soon-to-be enacted Executive Order that attempts to revive and codify *Roe* and go way beyond it. This case presents the opportunity for the Article III branch to make it clear to the Democrat party and to the public that the matter of whether or not to regulate convenience abortion practices and LGBTQ conduct will permanently remain in the hands of the individual states and with their people - most of whom have the decency and common sense to not live in the immoral fantasy land that the Defendants' operate in on a daily basis.

56. **Facts That Relate To The Introduction Of The Equality Act And Executive Order 14075 Failing Prong Two Of *Lemon*:**

The Equality Act and Executive Order 14075 unmistakenly violate prong II of the *Lemon* Test, as they unapologetically attempt to tie the Plaintiffs' hands and the hands of all non-observers of licentious LGBTQ secular humanism by leaving them defenseless and forced to

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[77] See Appendix B. Tr. of Oral Arg page 6. Solicitor General of Mississippi in *Dobbs*.

convert to and support the dangerous and destructive religious worldview that the Defendants favor in step with their refusal to think logically. Section 1107 of the Equality Act states:

> "The Religious Freedom Restoration Act of 1993 (42 U.S.C. 2000bb et seq.) shall not provide a claim concerning, or a defense to a claim under, a covered title, or provide a basis for challenging the application or enforcement of a covered title."

By expressly not allowing the Plaintiffs or any other non-observer of licentious LGBTQ secular humanism to invoke the Religious Freedom Restoration Act (RFRA), the Equality Act creates an indefensible "legal weapon that no [Christian] can obtain" and will force Plaintiffs to violate their fundamental right of conscience. See *City of Boerne v. Flores,* 521 U.S. 507 (1997). From the provision of the Equality Act that nullifies RFRA, it is obvious that the Defendants do not understand that the underlying legal basis for RFRA is the Free Exercise Clause of the First Amendment of the United States Constitution. This means that even if the Equality Act were enacted and even if it did manage to nullify the RFRA shield, the Equality Act still fails because it cannot repeal the Free Exercise Clause of the First Amendment of the United States Constitution. See Article VI, Clause 2 of the United States Constitution. The Free Exercise Clause and Establishment Clause synergistically preempt the Equality Act and Executive Order 14075 in their entirety when combined with American tradition and heritage in the same way that they invalidate the egregiously wrong decisions in *Roe* and *Casey*.[78] See Clause 2, Article VI of the United States Constitution. This is something that the Defendants just do not seem to understand when it comes to the hierarchy of laws, and it is why they are terrible lawmakers who have no business being in office. It is more important than ever that this Court serves as the

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[78] The underlying legal basis for RFRA is the Free Exercise Clause of the First Amendment. The efforts of the Defendants to make an end around the Constitution in an attempt to tie the hands of people of faith demonstrates that they are (1) intellectually inept when it comes to understanding Constitutional functionality and supremacy that (2) they lack the character fitness to serve in office, and that (3) they are enemies of the constitution and the rule of law that threan our Republic from the inside out.

necessary check on the Defendants, who are willing to take unprecedented brazen steps to excessively entangle our government with a narrow and exclusive religious worldview by removing protections from the millions of Americans who have the common sense, decency, grace, and wisdom to see LGBTQ ideology for what it always has been and always will be - a doctrine that attempts to justify deeply immoral sexual conduct that is depersonalizing, dehumanizing, deranged, damaging, desensitizing, destructive, and dangerous in the same ways that polygamy, pornography, prostitution, and child sex abuse are.

57. **Facts That Relate To The Threatened Enforcement Of The Women's Health Protection Act And Related Federal Policies Failing Prong Two Of *Lemon*:**

Prong II of *Lemon* raises the question "will people believe that the government endorses or approves one religious worldview over another?" The evidence shows that (1) objections to convenience abortion practices are based on the Christian religion, that (2) approval of convenience abortions practices is based on secular humanism religion, and that (3) by forcing all 50 states to allow convenience abortion up until the time of birth through the Women's Health Protection Act of 2022 amounts to a demonstration from the reasonable observer perspective that the Nation favors one religious belief system over another. The Defendants' endorsement and promotion of the Women's Health Protection Act fails prong II of *Lemon* because it is an excessive endorsement of secular humanism and an excessive disapproval of Christianity from the reasonable observer's perspective. This is in part why passions run high. In simple terms, because the Women's Health Protection Act and the soon-to-be enacted related Executive Order and HHS rules attempt to settle the faith-based question of when life begins prior to delivery, it constitutes an excessive endorsement of the religion secular humanism, causing the statute to fail

both the endorsement test created in *Lynch v. Donnelly*, 465 US 668 (1984) and prong II of Lemon - which are basically the same thing.

58. Just as the Equality Act wrongfully stops Christians, like the Plaintiffs, from using RFRA, the Women's Health Protection Act of 2022 does the exact same thing in direct violation of the Free Exercise Clause of the First Amendment of the United States Constitution. Section (4) subsection (a) paragraph (1) of the Women's Health Protection Act states:

> "[T]his Act supersedes and applies to the law of the Federal Government and each State government, and the implementation of such law, whether statutory, common law, or otherwise, and whether adopted before or after the date of enactment of this Act, and neither the Federal Government nor any State government shall administer, implement, or enforce any law, rule, regulation, standard, or other provision having the force and effect of law that conflicts with any provision of this Act, notwithstanding any other provision of Federal law, including the Religious Freedom Restoration Act of 1993 (42 U.S.C. 19 2000bb et seq.).

Besides tying the hands of Christians from using RFRA just as the Equality Act attempts, section (4) subsection (a) paragraph (1) of the Women's Health Act demonstrates that while the Defendants are correct in that federal the statute would preempt conflicting state law, the Defendants fail to understand that the Women's Health Protection Act, a federal statute, is preempted by the text of United States Constitution itself, under the Establishment Clause of the First Amendment. On balance, while federal law preempts state law when they conflict under Article VI, Clause 2, the Constitution amendments themselves preempt and outrank federal policies, like the Equality Act, Women's Health Protection Act, and similar Executive Orders, or federal judicial opinions, like the decisions in *Roe, Windsor, Obergefell, Casey, and Bostic*, when they conflict.[79]

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[79] To summarize the Plaintiffs' case in chief again, the Women's Health Protection Act of 2022 and the Equality Act, just like the egregiously wrong decisions in *Roe* and *Obergefell* are invalid because they conflict with the Establishment Clause of the First Amendment of the United States Constitution and are preempted under Article VI, Clause 2 of the United States Constitution. Failure to see that underscores that "times can blind." Tr. of Oral Arg. on Question 1, at 9, 10 in *Obergefell*; also reference by Justice Roberts dissent in *Obergefell*. The correctness of the

59. **Facts That Relate To The Equality Act And Executive Order 14075 Failing Prong Three Of Lemon:**

The surreptitious method by which the Equality Act attempts to enshrine sexual orientation and gender identity ideology over 75 times in Titles II, III, IV, VI, VII, and IX in a manner that would coercively impose LGBTQ dogma on all aspects of public life causes the act and the Defendants' conduct to violate prong III of Lemon and constitutes the greatest attempt to excessively entangle the government with the dogma of a non-institutionalized religion, since the inception of American jurisprudence. Likewise, the way that Executive Order 14075 commands administrative agencies to provide favorable treatment to members of the licentious LGBTQ cult and to promote its irrational ideology through the organs of government constitutes an unbelievable amount of entanglement of government with the religion of secular humanism.

60. The Equality Act, Executive Order 14075, and all similar policies constitute an excessive entanglement of government with the religion of secular humanism because they allow government actors to take a wrecking ball to Christians who believe that (1) homosexual conduct is supremely immoral and that (2) to support homosexual practices is itself an act of incredible cruelty and monumental immorality. See Romans 1:21-32, 1 Corinthians 6:9-11, Leviticus 18:22, Leviticus 20:13, Jude 7, Genesis 19:1-11. It is never an act of love to encourage another human being to engage in immoral conduct that is subversive to human flourishing, and to even pretend otherwise is incredibly evil and hateful that is categorically unamerican.

61. Here is a more specific example of how the Defendants' conduct in relation to the Equality Act and Executive Order 14075 violates prong III of *Lemon* in a manner that inflicts

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Plaintiffs constitutional argument is not hard to see or difficult to understand even though Justices were right in identifying that "times can blind" at oral argument in *Obergefell*. Yet, the Defendants cannot claim blindness as an excuse since they took an oath under Clause 3, Article VI of the Constitution to uphold the Constitution and never to intentionally undermine it from the inside out as they are out to do in an irresponsible and dangerous way.

direct injury on the Plaintiffs: the Plaintiffs Sciba, Vazzo, Schwab, and Sevier are all part of businesses that provide the service of "pastoral care," also called "reparative therapy" or "good talk therapy," a term that the Defendants maliciously describe in the Equality Act and Executive Order 14075 as "conversion therapy." The Plaintiffs provide these services to help individuals who want to escape the licentious LGBTQ cult do so, as Plaintiff Schwab and multitudes of others once did by God's grace and by the direct result of talk therapy.[80] The Plaintiff Sciba, Vazzo, and Schwab also help individuals heal from the trauma that naturally flows from having bought into the cult's destructive practices and warped truth claims. Meanwhile, it is self-evident that through the Equality Act, Executive Order 14075, and similar measures, the Defendants have set out to enslave the public's consciousness in the lie "once gay always gay" in step with the Democrat party's resolute commitment to remaining the party of slavery. [81] To that point, legislative finding (6) of the Equality Act states:

> The discredited practice known as "conversion therapy" is a form of discrimination that harms LGBTQ people by undermining individuals' sense of self-worth, increasing suicide ideation and substance abuse, exacerbating family conflict, and contributing to second-class status.

The prime sponsors of the Equality Act and their co-sponsors, and Executive Order 14075 imperialistically float the naked assertion that "conversion therapy" is "discredited" and "discrimina[tory]" but they fail to explain how or what evidence they are relying on in making those kinds of faith-based finding. The Defendants imply that this is the case simply because "they say so" which is just more evidence of their dangerous moral superiority complex revealing itself. The fact of the matter is that Plaintiffs Schwab, Sciba, and Vasso along with

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[80] Romans 10:17. "So faith comes from hearing, that is, hearing the Good News about Christ."
[81] The evidence shows that Democrat government officials long to see the our citizens enslaved to their passions and dominated by their glands so that the Defendants can turn around offer absolution from the position of government as pagan high priests. The Democrats exploit guilt, emotion, race in a manner that is demonic, cruel, and sinister.

thousands of other medical and religious experts have already and can demonstrate that attempting to classify pastoral care or "conversion therapy" as "discredited" is the only thing that is actually "discredited." The evidence shows that attempts to discredit pastoral care or conversion therapy are nothing more than attempts at discrimination by Democrats, against non-observers of the religion of secular humanism. The "Equality Act" should be renamed the "Inequality Act," but more importantly, the act should be tabled, along with its companion Executive Order 14075, in perpetuity by injunction for failing prong III of the *Lemon* Test and, therefore, violating the Establishment Clause because to ban pastoral care/conversion therapy directly injures the Plaintiffs Schwab, Sciba, Vasso, and Sevier's ability to earn a living and to serve their communities in a manner that constitutes the ultimate excessive entanglement.[82] This litigation demonstrates that not only is the Equality Act and Executive Order 14075 constitutionally unsound, so are all of the conversion therapy bans that have been enacted in some of the blue states in the wake of egregiously wrong judicial decisions in *Obergefell* and *Bostic*.

62. The Court has personal jurisdiction and subject matter jurisdiction to hear the Plaintiffs' claims brought under prong III of *Lemon* pursuant to the Establishment Clause because the mere threat that pastoral care and conversion therapy could be banned at the federal level through statute or executive fiat is harming their businesses currently, while also creating

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[82] Furthermore, undermined "sense of self worth, increas[ed] suicide ideation, and substance abuse, exacerbat[ed] family conflict" is the result of buying into the destructive truth claims of the licentious LGBTQ cult in the first place and not the result of wanting to escape from it. It is best for all Americans to not allow themselves to be seduced in buying into the LGBTQ cults dogma to begin with, since the Defendants imply that doing so undermines "sense of self worth, increas[es] suicide ideation, and substance abuse, exacerbat[es] family conflict." In their businesses, the Plaintiffs have set out to increase self worth, prevent suicide ideation, reduce substance abuse, and resolve family conflict by impeaching the LGBTQ cult's ideology. Plaintiff Schwab simply wants to help those, who like himself was once duped by the licentious LGBTQ cult, heal from the damage that the cult naturally inflicts on its members.

the apprehension that America is a secular humanist theocracy that the Plaintiffs are required to support with by paying taxes to it. The Plaintiffs should not be expected to wait around to be damaged further when the Equality Act and Executive Order 14075 should not have been introduced in the first place.

63. **Facts That Relate To The Women's Health Protection Act And Related Executive Order Failing Prong Three Of *Lemon*:**

The attempted enactment of the Women's Health Protection Act or similar legislation by the Defendants fails prong III of *Lemon* because it is government action that ends all debate and robs the Plaintiffs of their fundamental transferred right of self-defense to protect unborn humans through working directly with state legislatures in places they reside under the powers conferred to the people and to the state legislatures through the Tenth Amendment of the United States Constitution.

64. A federal law handed down by either the federal courts or the federal Congress that prohibits the states from restricting and regulating the licentious religious practice of convenience abortion or LGBTQ practices constitutes an excessive entanglement with the religion of secular humanism for purposes of prong III of *Lemon* in that it robs the states in conjunction with the people, which includes the Plaintiffs, of their fundamental right to regulate such lewd religious practices pursuant to the Tenth Amendment of the United States Constitution that erode community standards of decency and harms children. That is, the decisions in *Roe, Casey, Obergefell, Windsor,* and *Bostic* and the Equality Act and Women's Health Protection Act constitute an excessive entanglement because they ignore the text of the Tenth Amendment and the text of the Establishment Clause of the First Amendment in order to establish America as a secular humanist theocracy so that the Defendants and other secular humanists can feel less

ashamed and inadequate for having unwisely banked their entire life on the shallow belief that truth is relative.

65. **Emotional Appeals Can Not Be Used To Usurp The Establishment Clause.**

The Defendants know that the Equality Act, the Women's Health Protection Act of 2022, the associated Executive Orders, and all similar challenged federal policies are predicated on nothing more than a stream of shallow emotional appeals that constitute a series of unproven faith-based assumptions and are not based on anything in the actual text of the Constitution. The Defendants' political modus operandi is to appeal to the prurient interest and base nature of humans in a manner that is emotionally and intellectually exploitative. The Defendants' exploitation of shame is deeply shameful - but they don't care. The Defendants know or should know that federal courts, in cases like *Holloman v. Harland,* 370 F.3 1252 (11th Cir. 2004), have established that neither emotional appeals nor sincerity of belief can be used to usurp the Establishment Clause of the First Amendment in an excessive way, and, therefore, all policies that respect and promote non-secular self-asserted sex-based identity narratives and sexual orientation orthodoxy, to include the Equality Act and Executive Order 14075, and all policies that prohibit the states from restricting the controversial religious practice of convenience abortion, like the Women's Health Protection Act and related Executive Order, are based solely on a bundle of emotional appeals at the expense of this sound judicial principle.[83] While the Defendants only have emotional reasons for pushing the Equality Act, the Women's Health

[83] The Supreme Court has recognized "that public debate of religious ideas, like any other, may arouse emotion, may incite, may foment religious divisiveness and strife." See See *Terminiello v. Chicago*, 337 U.S. 1, 4-5, 69 S.Ct. 894, 895-896, 93 L.Ed. 1131 (1949). *McDaniel v. Paty,* 435 U.S. 618, 640, 98 S. Ct. 1322, 1335, 55 L. Ed. 2d 593 (1978). However, that does not mean that the government can simply enshrine the doctrines of licentious secular humanism so that truth allergic secular humanists, like the Defendants, can feel and act superior to everyone who has the humility and common sense to believe the obvious unchanging reality that LGBTQ and convenience abortion dogma is vile, implausible, and evil from the perspective of the reasonable observer.

Protection Act of 2022, related Executive Orders, and similar policies, the Plaintiffs have a controlling constitutional textual basis for permanently destroying it and all similar policies under the Establishment Clause of the First Amendment of the United States Constitution in combination with the Tenth Amendment of the United States Constitution.

66. **Taxpayer Standing Doctrine In Establishment Clause Cases Defined.**

The Plaintiffs have a direct and substantial interest in stopping the Defendants from enacting and enforcing measures, like Executive Order 14075, the Women's Health Protection Act, and Equality Act, that serve to insurmountably establish America as a secular humanist theocracy in conjunction with the egregiously wrong decisions in *Roe, Casey, Obergefell, Windsor,* and *Bostic*. Federal Court is the only forum to stop unconstitutional Congressional action that violates the Establishment Clause of the First Amendment. Federal court is the place where aggrieved citizens must appear to acquire a determination whether the Bill of Rights is being adhered to or violated. To prevent the Plaintiffs from seeking such a determination here in view of the totality of the facts would amount to a de facto repeal of the Bill of Rights and the invalidation of the Plaintiffs' civil rights and the civil rights of millions of Americans who do not want to live in or pay taxes to a secular humanist theocracy. The Establishment Clause area of the law is unique because it is the one arena where a plaintiff can assert taxpayer standing doctrine.[84] This form of standing must be liberally construed in the interest of justice, and the Plaintiffs are working on legislation to ensure this is true. "Taxpayer standing" means the standing of a taxpayer to file a lawsuit against a government actor, whose salary is paid for out of the treasury, who is directly or symbolically engaging in actions that violate the Establishment Clause of the First Amendment of the United States Constitution, after the government actor

[84] There are exceptions. In *Wilson v. Shaw*, 204 U.S. 24 (1907) taxpayer standing was afforded in a case involving the Panama canal that did not involve First Amendment considerations.

actually or prospectively engaged in activities that potentially failed at least one prong of the *Lemon* test. A taxpayer must have a logical nexus to assert this form of special standing.[85] A person who pays sales tax - alone - must be permitted to successfully assert this form of standing before a court of competent jurisdiction in an Establishment Clause case, especially one that involves the federal government attempting to endorse licentious religious practices. See Appendix A and B. The Plaintiffs are all taxpayers who pay every form of tax imaginable, including sales tax and/or property tax and/or income tax, etc. The Plaintiffs have a logical nexus to the controversy of threatening to enact or enforce the Equality Act, the Women's Health Protection Act, related Executive Orders, and all similar federal policies in light of the facts asserted in this verified first amended complaint and in view of the sworn statements provided.[86]

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[85] "Logical nexus" means at least some minimal, relevant, legitimate, important, or rational connection. The term connotes a low-threshold standard. Based on all of the facts asserted in the complaint and the exhibits filed, the Plaintiffs have a logical nexus to file suit. (See Appendix A).

[86] On top of having direct standing because of the emotional and economic concrete harm that the introduction of the Equality Act and the Women's Health Protection Act has had on the Plaintiffs' businesses, the Plaintiffs also have standing under the taxpayer standing doctrine first presented in *Flast v. Cohen*, 392 U.S. 83 (1968) and in litany of other cases that the Plaintiffs would be happy to brief. Specifically, *Flast* involved an expenditure of Congress under Article I, Section 8 of the Constitution which provided funding to religious schools. There are expenditures that directly and indirectly flow out of the Equality Act and Women's Health Protection Act that would lead to the Federal funding of transgender surgeries and convenience abortion procedures in the effort to establish America as a secular humanist theocracy. Furthermore, Article I, Section 8 of the Constitution element to taxpayer standing doctrine - as far as it is necessary to be present and it is not - must be liberally construed to include the fact that the Defendants salaries are funded by the taxpayers and they are very obviously violating the Constitution by introducing and threatening to enact non-secular policies that not only inflict concrete injury on the Plaintiffs and others but it also serves to unconstitutionally establish America as a secular humanist theocracy in a manner that violates the civil rights of over half the Country. In *United States v. Richardson*, 465 F.2d 844, 852 (3d Cir. 1972), the court attempted to expand *Flast* stating, "[t]he Government argues that *Flast* must be limited to challenges to appropriations. That view attempts to confine the case to its facts without regard to its reasoning. *Flast* is concerned with adverseness and specificity of issues for 'standing,' not spending per se." Because the Supreme Court in *United States v. SCRAP*, 412 U.S. 669 (1973) found that speculative harm to aesthetic and environmental interests was considered a sufficient injury in fact, this Court can easily find that the Defendants' desire to force them to live in a secular humanist theocracy and pay taxes to it in total violation of their conscience and to the complete

IV. RIPENESS

67. Implications Of The Threat To Remove The Filibuster To Enact The Unconstitutional Equality Act And The Women's Health Protection Act.

68. Normally, the Plaintiffs would wait until an unconstitutional non-secular statute is enacted and administered before filing suit, but this case is the exception for several reasons. First, Defendant Biden's Executive Orders that are either enacted or that are in the process of being enacted link directly to the Equality Act and Women's Health Protection Act. Those Executive Orders and Federal Statutes play off one another in a metaphorical dance. The challenged Executive Orders, which do carry the force of law, do more than just grease the wheels for the enactment of the Equality At and Women's Health Protection Act. The challenged Executive Orders are de facto enactments of the Equality Act and Women's Health Protection Acts themselves.

69. Second, the Defendants have made clear that they intend to plot, scheme, and scam in concert to nuke the filibuster in the Democrat-controlled Senate so that the Equality Act and the Women's Health Protection Act or substantially similar legislation can be enacted. [87] In fact, they have taken verifiable steps to up-end invaluable Senate norms to do just that, even though the Women's Health Protection Act and the Equality Act will be just as unconstitutional under

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destruction of their business more than sufficient injury under the Bill of Rights to confer Article III standing. The remedy here cannot be that the Plaintiffs simply vote for different Congressmen. In this case, the Plaintiffs' injuries are tangible, direct, and concrete as a result of the Defendants disregard of the Establishment Clause, and even if not concrete - and they are - the Plaintiffs' injuries are of the type that were foreseeably contemplated by the statute that they challenge under the Constitution. The Plaintiffs allege a concrete injury that flows from the Defendants' efforts to enact the Equality Act and Women's Health Protection Act that is within the zone of interests to be protected or regulated by the Free Exercise and Establishment Clauses of the First Amendment, and the Plaintiffs assert an injury of the type that the Free Exercise and Establishment Clauses contemplated to protect against. See *Data Processing Serv. Organizations, Inc. v. Camp*, 397 U.S. 150, 152 (1970).

[87]https://thehill.com/blogs/congress-blog/politics/578240-to-ensure-equality-for-all-senate-must-end-filibuster/

the Establishment Clause after the filibuster is removed as they are now.[88] This unique consideration is factual evidence for why these matters are ripe for adjudication now. [89] It is in the public's best interest that the Plaintiffs be permitted to move on all of their claims now instead of having to wait until the Defendants up end our system due to either their constitutional ignorance or malicious dealings to acquire the relief they seek.

70. Third, this case is exceptional because the Equality Act and Women's Health Protection Act are so unconstitutional on their face and present such an immediate injury that the mere introduction and threatened enactment is sufficient to inflict injury on the Plaintiffs and to provide them with Article III standing and to confer subject matter and personal jurisdiction onto this Court. Pursuant to the principles surrounding the federal declaratory judgment act for a

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[88]https://www.wsj.com/podcasts/opinion-potomac-watch/chuck-schumer-moves-to-nuke-the-filibuster/aa2a4c4a-ce9e-46c2-98d3-2b0eae0d6b31

[89] As authors of law themselves, the Plaintiffs are proposing a new test here called the "Schwab Test" for the judiciary to potentially adopt in resolving the issue of standing in Establishment Clause cases in a circumstance where a government actor seeks to enact an obviously unconstitutional policy with serious ramifications but has not done so to the point that it carries the full force of law. The Court should find that the Plaintiffs have standing to seek declaratory and injunctive relief in this case because the Defendants are openly attempting to completely upend our system of government and do away with the *filibuster* only so that they can enact the Equality Act and the Women's Health Protection Act. Meanwhile, the evidence shows that the Equality Act and the Women's Health Protection Act are just as unconstitutional now as they will be once the filibuster is removed. To safeguard the system of norms in the Senate that preserve our Democracy writ large, this Court should find that these unique circumstances involve factors in aggravation because the Defendants are openly scheming to do away with the filibuster in conjunction with dishoest media outlets they are in bed with, concluding that the Plaintiffs do in fact have Article III standing to seek and obtain declaratory and preliminary/permanent injunctive relief in light of special circumstances to stop these devastatingly unconstitutional policies and other substantially similar policies in the works that have been inflicting actual injury since their introduction from moving forward any further than they already have. The "Schwab Test" can be a two-prong test that is satisfied against the prime sponsor of a proposed policy that has been officially introduced in an Establishment Clause case brought under taxpayer standing doctrine if (1) the prime sponsor officially introduced a bill that seeks to egregiously violate the Establishment Clause by failing all three prongs of the *Lemon* test, coercion test, or endorsement test if enacted with sweeping ramifications and if (2) there is evidence that a defendant has taken steps to undo an existing procedural rule to enact the challenged policy. If one of the prongs is satisfied, a plaintiff may move forward with the action against the prime sponsor of a bill.

violation of the Establishment Clause, Free Speech Clause, and Free Exercise Clause of the First Amendment of the United States Constitution, the Plaintiffs should not be required to sit and wait for the Defendants to officially enact the Equality Act and Women's Health Protection Act before filing suit because its enactment would only serve to twist the knife in the Plaintiffs' continuing injuries inflicted by the mere introduction, promotion, and endorsement of the patently unconstitutional legislative measures that openly seeks to establish America as a secular humanist theocracy. [90] Secular humanist organizations unleashed unlawful attacks against pro-life organizations in the wake of the leak *Dobbs* decision. They are continuing to do more of that now that the official opinion is released, and some of the Plaintiffs are partners with or the owners of pro-life organizations that are in the crosshairs of the pro-abortion death cult presently. If the Plaintiffs are permitted to proceed to have the Women's Health Protection Act invalidated and the textual basis for the overturning of *Roe* and *Casey* memorialized in the federal court's public record, it has the potential to ward off enormous amounts of violence and destruction that is tearing the country apart from the inside out.

71. **Plaintiffs' Ripe Standing To Sue As Taxpaying Parents' In Light Of Threat Posed By The Equality Act On Their Children Who Attend Public Schools:**

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[90] This situation is similar to when the Country and Western D-list celebrity, John D. Rich, unwisely attempted to bully Plaintiff Sevier out of copyrights which compelled Plaintiff Sevier and his record company, Severe Records LLC, to file a lawsuit against Mr. Rich. See *Severe Records LLC, et. al v. John Rich, et. al.,* 09-6175 (6th Cir. 2011). In that controversy, John Rich, part of the duo "Big and Rich," sent Plaintiff Sevier two cease and desist letters regarding three copyrights that Plaintiff Sevier unequivocally authored. Instead of being held hostage by waiting around for Mr. Rich to make good on his threat to sue, Plaintiff Sevier filed a lawsuit against Mr. Rich for a federal declaratory judgment pursuant to the copyright act to secure a declaration that Plaintiff Sevier's use of the works was lawful and that Mr. Rich's wrongful interference of Plaintiff Sevier's use of the works was unlawful. The sixth circuit court of appeals found in favor of Plaintiff Sevier as to the federal declaratory judgment act, finding that the threat of Mr. Rich's copyright infringement lawsuit was a sufficient injury to the Plaintiff Sevier that provided him with a ripe injury to sue. See *Severe Records LLC, et. al v. John Rich, et. al.,* 09-6175 (6th Cir. 2011).

Most of the Plaintiffs are parents who send their children to public schools. Because the Equality Act threatens to force public schools to permit males to use the female restrooms in an effort to show the government's endorsement and favoritism of the licentious LGBTQ cult, the Plaintiffs are harmed now because they are having to decide whether they will have to pull their children from public schools or allow them to be brainwashed by the licentious LGBTQ dogma that will be imposed on them with the government's stamp of approval and imprimatur. This distressful situation is one that the Plaintiffs and their children and other parents and their children should not have been placed in to begin with.

72. Section 1101(b)(3) of the Equality Act states, "(with respect to gender identity) an individual shall not be denied access to a shared facility, including a restroom, a locker room, and a dressing room, that is in accordance with the individual's [self-asserted] gender identity." As taxpaying parents with children in public schools, the Plaintiffs have a logical nexus to pursue this cause of action pursuant to 42 USC § 1983 to get immediate relief from harm caused by the unconstitutional action that the Defendants are threatening in a manner that injures children.[91]

73. Section 1 of Executive Order 14075 orders that "[t]he Federal Government must strengthen the supports for LGBTQI+ students in our Nation's schools and other education and training programs." Section 2, 4, and 8, the Order requires that HHS and the Secretary of

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[91] The United States Supreme Court in *Lee v. Weisman*, 505 U.S. 577 (1992) found that there are "heightened concerns with protecting freedom of conscience from subtle coercive pressure in the elementary and secondary public schools," while also holding in *Edwards v. Aguillard*, 482 U.S. 578 (1987) that the government "should be particularly vigilant in monitoring compliance with the Establishment Clause in the public-school context," when minors are subjected to religious indoctrination with the perception of the government's stamp of approval. This heightened vigilance requirement ripens the issues and gives the Plaintiffs the basis to proceed to enjoin the Equality Act from moving any further now. Furthermore, Plaintiff Sevier is the author of the School Establishment Clause Act (SECA) which many state legislatures are moving on, and the adjudication of these matters here and now are important in view of the substantial legal ramifications and in light of the doctrine of preemption. To preserve judicial and legislative economy these issues should be adjudicated now.

Education undertake steps to give students who are part of the licentious LGBTQ cult an unfair advantage, benefits, and privileges over students, like the Plaintiffs' children, who belong to a different religion. The Order commands that LGBTQ ideology be pumped into public schools for the purpose of indoctrinating and converting minors to join and support the licentious LGBTQ cult and the immoral Democrat party they are in bed with.

74. **Ripeness By Direct Applicability To The Plainitffs' Businesses:**

This action is ripe because from the face of the Equality Act and the Women's Health Protection Act, it is clear that the provisions apply to the Plaintiffs and their businesses. The Plaintiffs provide services that include helping defectors from the licentious LGBTQ escape from the licentious cult. Nevertheless, the Plaintiffs must comply with the Equality Act if enacted because they are part of an establishment that provides services. Section 208 of the Equality Act, states:

> A reference in this title to an establishment— (1) shall be construed to include an individual whose operations affect commerce and who is a provider of a good, service, or program; and (2) shall not be construed to be limited to a physical facility or place.

The Plaintiffs provide "services" in a "physical facility," which means that the Equality Act applies to them directly in a manner that will destroy the services they provide, ending their livelihoods and harming their quality of life. The direct applicability of the Equality Act to the Plaintiffs and its threatened enactment is enough to confer concrete injury on the Plaintiffs that is actionable now.

75. The Plaintiffs should not be expected to wait to have their quality of life completely destroyed while Executive Order 14075 is administrated by HHS, the Federal Trade Commission, and the Department of Justice. Plaintiffs Sciba, Vazzo, Schwab, and Sevier make a

living through businesses that provide and/or encourage reparative and reintegration therapy in the United States and/or around the world. Section 1 of t Executive Order 14075 states:

> My Administration must safeguard LGBTQI+ youth from dangerous practices like so-called "conversion therapy" -- efforts to suppress or change an individual's sexual orientation, gender identity, or gender expression -- a discredited practice that research indicates can cause significant harm, including higher rates of suicide-related thoughts and behaviors by LGBTQI+ youth.

Executive Order 14075 is purposed to discredit and destroy the livelihoods of the Plaintiffs because the Defendants have an emotional problem with Christianity, the truth, and the Constitution as it was written. Section 3, subsection (b) of Executive Order 14075 requires that the Federal Trade Commission "consider whether so-called conversion therapy constitutes an unfair or deceptive act or practice, and to issue such consumer warnings or notices as may be appropriate." The testimonies of Plaintiffs Vazzo and Sciba, who have seen or experienced the benefits of reparative therapy firsthand in hundreds of cases, or Plaintiff Schwab, who experienced the benefits firsthand to the point that he formed an international organization to experience that same freedom, demonstrates beyond any serious question that the Executive Order 14075 is itself a "deceptive act," that is also itself a practice that amounts to per se Constitutional malpractice perpetrated by a doddering President, who after being in office since 1973 still fails to understand the objective difference between right and wrong, real and fake, and secular and non-secular. The only "warning" that is appropriate in this situation should come in the form of a permanent injunction issued by this Court that warns the Democrat party that virtually all of their policies that promote LGBTQ ideology and dogma are patently unconstitutional under the Establishment Clause. The Blue states should take that ruling as a warning that all of the enacted LGBTQ policies on the state level are also unconstitutional and subjected to being invalidated. While licentious LGBTQ secular humanism is certainly a

dehumanizing, subversive, and immoral religion, it is a religion nevertheless and must be treated as such by all aspects of the federal and state government.[92]

76. **Ripeness Based On Impact Of Employment Practices Under The Equality Act:**

If the Equality Act was enacted, the Plaintiffs Sciba, Vazzo, Schwab, and Sevier could be punished for refusing to hire a person based on their non-secular self-asserted sex-based identity narrative despite the fact that the Plaintiffs are working to help their clients escape from the grips of the licentious LGBTQ cult that the Defendants crawled into bed with. For example, SEC. 7. EMPLOYMENT of the Equality Act states:

> "Section 1106 shall apply to this title except that for purposes of that application, a reference in that section to an 'unlawful practice' shall be considered to be a reference to an 'unlawful employment practice".....(3) in subsection (e)(1), by striking "enterprise," and inserting "enterprise, if, in a situation in which sex is a bona fide occupational qualification, individuals are recognized as qualified in accordance with their gender identity,"; and (4) in subsection (h), by striking "sex" the second place it appears and inserting "sex (including sexual orientation and gender identity),"

This provision of the Equality Act combined with others would require the Plaintiffs to employ members of the licentious LGBTQ cult to work at their organizations, which are purposed in large part to help deter people from joining the licentious LGBTQ cult to begin with and to help victims of LGBTQ dogma heal from the trauma that flows out of putting into practice the cult's ideology in the first place. If the Equality Act becomes enacted, devout LGBTQ activists would undoubtedly apply to work for the Plaintiffs, and since the Plaintiffs would be coercively required to employ these LGBTQ activists pursuant to the Equality Act, those agenda-driven new employees would foreseeably work to sabotage the Plaintiffs' businesses from the inside out

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[92] There is a saying in the Military at that "eventually, the Devil always overplays his hand, and exposed himself in the end." So while the Defendants' concerted attempts to impose a federal ban on the Plaintiffs' businesses is invalid under the Establishment Clause, the implication is that all of the blue states that have enacted reparative therapy bans are also Constitutionally unlawful on the same legal basis and subject to be being invalidated.

under the protection of federal law. This threat is so severe, harmful, foreseeable, and immediate that it must be actionable now.

V. JURISDICTION AND VENUE

77. This Court has jurisdiction pursuant to 28 U.S.C. § 1331, as this action arises under the laws of the United States and United States Constitution; 28 U.S.C. § 1346, as a civil action against the United States founded upon the Constitution, an Act of Congress, or an executive regulation; and 28 U.S.C. § 1361, as an action to compel an officer or agency to perform a duty owed to the Plaintiffs.

78. An actual controversy exists between the parties within the meaning of 28 U.S.C. § 2201(a), and this Court may grant declaratory, injunctive, and other relief pursuant to 28 U.S.C. §§ 2201-2202 and 5 U.S.C. §§ 705-706.

79. Venue is proper in this district under 28 U.S.C. § 1391(b)(1), (b)(2), & (e)(1) because at least one Plaintiff resides in this judicial district, a substantial part of the events or omissions giving rise to this action occurred in this district, the injuries to the Plaintiffs are most felt in this district, and each Defendants resides in the District, and each Defendant is an agency of the United States or an officer of the United States sued in their official capacity.

VI. THE PARTIES

A. Plaintiffs

80. **Things That The Plaintiffs Schwab, Sciba, Vazzo, and Sevier Have In Common:**

There is a laundry list of relevant facts that Plaintiffs Schwab, Sciba, Vazzo, and Sevier have in common. First, the Plaintiffs are all American taxpayers who pay every form of tax imaginable, including sales tax and/or property tax and/or income tax, etc.[93] Second, the Plaintiffs all provide a range of services to individuals, who used to be part of the pro-abortion

[93] Plaintiff Nichols has this in common with her co-Plaintiffs.

death cult and/or the licentious LGBTQ cult, who have left it behind and converted to a neutral, non-controversial, and secular identity narrative that accords with the givenness of our human nature.[94] Third, while the Plaintiffs are Christians, they do not want to see the government excessively entangle itself with the Plaintiffs' favored religion for the same reason they do not want to see the government entangle itself with the favored religion of the Defendants.[95] Fourth, all of the Plaintiffs have been severely persecuted, harassed, threatened, harangued, libeled, slandered, canceled, oppressed, marginalized, attacked, antagonized, stalked, demonized, shunned, and injured in the wake of the government's endorsement of the licentious LGBTQ cult and the pro-abortion death cult with acting under the color of law. The Plaintiffs have been brutalized in the wake of the government's endorsement of the licentious LGBTQ cult and the pro-abortion death cult for simply asserting the obvious from the reasonable observer's perspective that LGBTQ and convenience abortion ideology and practices are licentious, immoral, and subversive to human flourishing - which they are and always will be. The Defendants know or should know that the mere introduction and threatened enforcement of the Equality Act, the Women's Health Protection Act, related Executive Orders, and the similar challenged federal policies have served as a catalyst to make the persecution of the Plaintiffs and of millions of other non-observers of the religion of secular humanism intensify and escalate,

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[94] It is the collective mission of the Plaintiffs to spread the message that a person can join the LGBTQ cult if they want to take that path, but that the government is lying by spreading the LGBTQ's gospel narrative that "once gay always gay."

[95] That is, generally speaking, the Plaintiffs do not want the government to impose forced belief in Christian doctrine on the citizenry any more than it wants the government to impose forced belief in edicts of secular humanism. For example, the Plaintiffs do not want a public library holding Christian Bible study for minors for the same reason that they object to public libraries sponsoring Drag Queen Story Time for minors. That is, the Plaintiffs do not object to Drag Queen Story Time being held at a Starbucks, which is privately owned and as long as the event does not violate obscenity codes, but they have objected to Drag Queen Story Time being hosted at the public library at their expense as taxpayers because the event is non-secular. In terms of equality, the Plaintiffs consistently demand that the government be neutral as to religion and not favor one religion over another or religion over non-religion.

cultivating a litany of secondary harmful effects that were at all-time foreseeable to the Defendants - just consider the protests outside of the houses of five Supreme Court justices regarding the leaked *Dobbs* decision. Fifth, all of the Plaintiffs have separately challenged the government's promotion and endorsement of convenience abortion and LGBTQ secular humanism in a number of different judicial and legislative forums and have been persecuted for doing so because those cults and their advocates do not want "equality," they want "dominance" through any means necessary and because those cults hate the truth and anyone who stands for it. Sixth, the Plaintiffs are committed to zealously defending the race-based civil rights movement led by Pastor Martin Luther King Jr that the licentious LGBTQ cult and pro-abortion death cult seek to hijack, distort, undermine, and exploit. Seventh, the Plaintiffs believe that life begins at conception based on their Christian religious views and based on self-evident observation while being heavily involved in pro-life advocacy in a wide variety of ways. The Plaintiffs have engaged in different forms of pro-life advocacy from writing legislation, to counseling, to lawfully protesting outside of the convenience abortion clinics operated by the pro-abortion death cult. The Plaintiffs and their place of business are subject to violent attack and vandalism because of their Constitutional legal advocacy. As authors of legislation that would be preempted the second that the Equality Act and Women's Health Protection Act were enacted, the Plaintiffs have been harmed by the mere introduction of such constitutionally invalid instruments and would be damaged further in their authorized lobbying efforts if enacted.

81. Matt Sciba is an LPC and the executive director of the Freedom Clinic located in Tyler Texas. Matthew Sciba is a Licensed Professional Counselor trained in the Nicolosi tradition of Reintegrative Therapy, which includes reparative therapy. This method is used with the belief that addiction disorders can be treated more effectively, more gently, and faster than

conventional psychotherapy and the traditional cognitive-behavioral approaches. These new approaches have resulted in greater feeling of acceptance, confidence, and freedom, as well as healthier sense of self. Matthew received his training from world-renowned Marriage & Family Therapist, David Pickup, a protégé of the late Dr. Joseph Nicoloi and an expert in the field of Sexual and Identity Issues.[96] The threatened enactment and enforcement of the Equality Act and Executive Order 14075 will destroy his livelihood, chill his speech, cause him to violate his conscience, and harm his clients. He is a pro-life advocate. The injuries described in this complaint inflicted on Plaintiff Sciba were felt in Tyler Texas.

82. Robert Vazzo is an LMFT who established his practice in Dallas Texas.[97] Robert Vazzo received his master's degree in Marriage and Family Therapy from the University of Southern California. Mr. Vazzo completed his clinical internship at the Thomas Aquinas Psychological Clinic in Encino, California, where he worked with Dr. Joseph Nicolosi, a pioneer in working with men with unwanted same-sex attraction. In addition to providing marital and family therapy, his professional interests include working with men, many of whom present with issues such as ego-dystonic homosexuality, transvestic fetishism, hebephilia/ephebophilia and pedophilia as well as pornography addiction and personality disorders. The threatened enactment and enforcement of the Equality Act and Executive Order 14075 will destroy his livelihood, chill his speech, cause him to violate his conscience, and harm his clients. He has helped countless individuals escape from and heal from the trauma inflicted on them by the licentious LGBTQ

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[96] https://www.thefreedomclinic.net/about-us/

[97] Mr. Vazzo made the following statement, "I became a Christian therapist because this is my vocation. God has given me certain skills and gifts, and I want to share these with others so that they can be free from that which keeps them in unhappiness and bondage. 'You shall know the truth, and the truth will set you free!' John 8:32."
https://www.christiancounselordirectory.com/Therapist/Robert-L-Vazzo-LMFT_32259

cult. He is a pro-life advocate. The injuries described in this complaint inflicted on Plaintiff Vazzo were felt in Dallas Texas.

83. Jeremy Schwab [98] is ex-gay who founded Joel 225 International Ministries based just outside of Dallas Texas.[99] He personally benefitted from reparative/reintegrative therapy to the point that he founded an international mission group to help others escape and heal from the LGBTQ cult. The vision and mission of Joel 225 is set forth on Plaintiff Schwab's website. [100] Plaintiff Schwab is resolved to impeach the self-serving and fake truth claims of the LGBTQ cult and its political patsies - like the intellectually dishonest Defendants. Plaintiff Schwab is resolved to spread the message throughout the world that others who have been seduced into joining the LGBTQ cult can, like himself, be radically transformed by the healing power of the blood of Jesus Christ and convert to a new identity that accords with the givenness of our nature and the truth about the way we are and the way thing are. He is a pro-life advocate. The injuries described in this complaint inflicted on Plaintiff Schwab were felt and are continuing to be felt in North Texas.

84. Tammy Nichols appears in her official capacity as a state representative. Rep. Nichols is an elected representative and coalition leader of state legislatures from Louisiana,

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[98] https://www.texasobserver.org/meet-ex-gay-man-behind-texas-gops-reparative-therapy-plank/
[99] https://joel225.org/.
[100] Joel 225 states the following as its mission: "Our vision is to be an authentic Christian community that welcomes men and women from all nations and faiths who share common goals to grow in faith, hope, and love. We know from experience and proclaim without hesitation that the first step in experiencing real joy and happiness in this life and the next is to completely surrender our lives to God. We continuously strengthen and empower each other to find healing for emotional and relational wounds, experience giving and receiving real Love, and living ever more assertively with authentic joy in harmony with our faith. This organization was born out of our personal experiences with the undeniable truth that emotional and relational healing is possible and that all of us are created for holiness and chastity according to our state in life. We promote an alternative to homosexual behavior. For some that may lead to path of discovering their own underlying heterosexuality. For others, it may just mean a lessening of their eroticized same-sex attraction along with greater peace and need fulfillment."

Texas, South Carolina, Alabama, Rhode Island, Maine, West Virginia, and other states that have come together to enact policies based on the Establishment Clause and the Tenth Amendment to force the federal and state government to disentangle itself with leftist secular humanist religious ideology and practices, which includes deadly convenience abortion practices and licentious homosexual practices. This includes policies like the Keep Roe Reversed Forever Act, the School Establishment Clause Act, the Stop WOKE Act, and others found in Appendix A. This coalition was founded in conjunction with some of the Plaintiffs in North Texas. [101] The coalition of state legislatures led by Rep. Nichols are moving to enact state laws under the power conferred to the States under the Tenth Amendment that are in conflict with the challenged federal policies that are the subject of this lawsuit. Furthermore, the state legislation that is at the center of a coalition of states are predicated on the powers vested in the states through the Establishment Clause of the First Amendment which applies to the states through the Fourteenth Amendment.

85. Chris Sevier Esq. is the founder of De Facto Attorneys General Texas Division and Special Forces Of Liberty. He is a former Judge Advocate General, United States Attorney, and a Constitutional law expert on matters concerning the culture war. He is currently based in Dallas Texas and has formed a business partnership with Schwab and others in Texas concernings these matters. Injury to his co-Plaintiffs businesses inflicts an injury on Plaintiff Sevier directly.

Plaintiff Sevier is a Christ-follower who writes legislation for all 50 states on the matters of the culture war out of the wake of multi-state federal litigation that if enacted will survive judicial review and that have robust enforcement mechanisms based on vetted principles of law.

[101] Plaintiffs Sciba, Vazzo, Schwab, and Sevier are aiding this coalition to enact these policies in a multitude of states by the powers conferred to them as "the people" found in the text of the Tenth Amendment.

http://www.specialforcesofliberty.com/. As a rule of law Judge Advocate General, who was tasked to ensure that other countries obey their constitutions, he continues that same mission today at home to ensure that the three branches of the state and federal government obey the United States Constitution. [102] Plaintiff Sevier has been viciously hunted and stalked by every government agency imaginable to punish him for his refusal to engage in "go along get along" and as reprisal for his whistle-blowing in the fact of corruption.

Ever since he was 18, Plaintiff Sevier has stood outside of convenience abortion facilities in the gap on behalf of the voiceless unborn, attempting to respectfully persuade mothers to put their child up for adoption or to keep the child developing in their womb for themselves, as opposed to killing their baby on the altar of convenience. He and his co-Plaintiffs are the authors of the "Life Appropriation Act," "Keep Roe Reverse Act," the "Establishment Clause Act," the School Establishment Clause Act (SECA), the Stop WOKE Act, and the "Reverse Obergefell

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[102] Plaintiff Sevier is not merely a cultural policy wonk, he cultivates culture through musical art projects, believing that politics is downstream from culture, as much as it is downstream from the law. Plaintiff Sevier is the vocalist and writer of Waves_On_Waves. http://www.wavesonwaves.com/.
Because of his efforts to stop government officials like the Defendants - from forcing our government to crawl into bed with the licentious LGBTQ cult and pro-abortion death cult, he has faced reprisal from every angle in the government and private sector imaginable. In fact, his opposition to Drag Queen Story Time at the public library and his legislative efforts to prohibit public funds from going to Planned Parenthood caused the record company AnjunaBeats, a record company based in the United Kingdom, to (1) launch a religious reprisal campaign to shelve the recordings that Plaintiff Sevier had release with them in collaboration with the recording artist Grum, to (2) recall products from the stores, and to (3) maliciously interfere with a litany of Plaintiff Sevier's business dealings with third parties to include record companies like Abora Recordings, which is domiciled in the District of Columbia, to the extreme financial detriment of the Plaintiff.
https://www.reddit.com/r/AboveandBeyond/comments/gpelm6/grum_never_have_to_be_alone_pulled_from_spotify/ The government's entanglement with the LGBTQ cult through non-secular policy intiatives, like the Equality Act, which serve as the superseding cause of the injury. Plaintiff Sevier is attempting to get Born Again Healthcare, www.bornagainhealthcare.com, which will provide services to gender-confused minors and adults off the ground in Texas, but he is prohibited from doing so until this case or other related cases are resolved. The uncertainty of the law is causing irreparable injury that only this Court can cure.

Act (ROA), which will be introduced at the 2023 legislative session in a majority of states. See Appendix A. These measures that the Plaintiffs are working on in concert with state Representatives and state Senators and legislative research counsels involve federal and state constitutional authority that is conferred to the States and to the people - which includes the Plaintiffs. Yet, those legislative proposals that the Plaintiffs are working on with the States at great expense to the States, the taxpayers, and to the Plaintiffs, conflict in part or in entirety with the challenged federal policies that are subject to this action. Plaintiff Sevier and his co-Plaintiffs do not want a penny of their taxpayer dollars directly or indirectly going to fund policies that require that the Plaintiffs respect convenience abortion and licentious LGBTQ ideology and practices, as the Establishment Clause of the First Amendment prohibits. Plaintiff Sevier has been a federal employee having served as First Lieutenant under Title 10 jurisdiction in TRADOC and with 3rd ID, the 278 Air Cav Unit, the US Attorneys Office, and having put in packets to interstate transfer to Fifth Special Forces Group and Twentieth Special Forces Group. Plaintiff Sevier knows firsthand how non-secular woke policies imposed on the Military by a Democrat Commander in Chief (1) is prejudicial to good order and discipline, (2) harms mission readiness, and (3) devastates recruiting and retention. Plaintiff Sevier has looked into rejoining his Unit but cannot even attempt to do so with the non-secular pro-LGBTQ policies that Defendant Biden has inflicted on Soldiers, weakening our Nation in the eyes of overseas adversaries beyond measure. Soldiers in the United States Military are willing to defend our Constitutional Republic, but they are not willing to defend the evil empire of secular humanism that the Defendants are proactively imposing on the Nation either as the result of maliciousness or ignorance.

B. Defendants

86. Joe Biden is sued in his official capacity as President of the United States. His principal address is 1600 Pennsylvania Avenue, N.W Washington DC 20500. Defendant Biden is the Commander in Chief with the authority to revoke programs and policies that subject Soldiers to being indoctrinated to an immoral and salacious secular humanist ideology that is destroying recruitment and retention.[103] Defendant Biden has been calling for the unconstitutional Equality Act and Women's Health Protection Act to "come to his desk" so that he can enact the measures into law immediately. [104] He is threatening to sign the bills into law the moment they make it out of the Democrat-controlled Senate. He has assigned Vice President Harris to see to it that the Equality Act passed out of the Senate in response to state legislation that the Plaintiffs have had a hand in creating and passing.[105] He should be enjoined from signing the Equality Act and Women's Health Protection Act, and from promoting both by order

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[103]https://www.washingtonpost.com/politics/2022/01/28/biden-has-promises-left-keep-his-lgbtq-agenda/. While Soldiers, like Plaintiff Sevier, have agreed to serve and defend our constitutional republic established under Clause 2, Article VI of the United States Constitution, they have not agreed to serve and defend an immoral secular humanist theocracy that Defendant Biden seeks to establish in violation of the Establishment Clause of the First Amendment. Military regulations that conflict with the Establishment Clause are unconstitutional.

As Commander in Chief, Defendant Biden is responsible for the Military policies that are are requiring pronoun changes to promote respect for secular humanist ideology. The Plaintiffs want an injunction so that President Biden cannot impose policies on the Military that require or encourage the use of non-secular and unnatural pronouns. Such coercive policies are more than just virtue signaling, they are a demonstration that Soldiers must be atheistic secular humanists to in order to serve.
https://www.kusi.com/u-s-navy-releases-lgbtq-video-providing-directions-on-how-to-use-correct-pronouns/

[104]https://www.shrm.org/resourcesandtools/hr-topics/behavioral-competencies/global-and-cultural-effectiveness/pages/president-biden-calls-for-passage-of-equality-act-.aspx
Quoting Defendant Biden on May 3, 2022, "I will work to pass and sign [Roe] into law."
https://www.cnbc.com/2022/05/03/biden-says-a-womans-right-to-choose-is-fundamental-on-heels-of-leaked-supreme-court-draft-striking-down-roe-v-wade.html
'I'm Going To Do Everything In My Power': Biden Calls To Suspend The Filibuster And Nationalize Abortion Law."
https://www.dailywire.com/news/im-going-to-do-everything-in-my-power-biden-calls-to-suspend-the-filibuster-and-nationalize-abortion-law

[105] https://twitter.com/kamalaharris/status/1499556483272519680

of this Court because he is promising fake rights that the Constitution does not provide, but discourages, and stirring up dangerous secular humanists. Defendant Biden is promising rights that are cultivating entitlement syndrome in a manner that will yield mass destruction and violence when it is exposed that those rights were never guaranteed. On May 11, 2022, he issued an official statement of administration policy in support of the Women's Health Protection Act of 2022 and is resolved to enact it or a substantially similar policy into law at the expense of the Plaintiffs' fundamental right to not live in a secular humanist theocracy.[106] On June 15, 2022, Defendant Biden signed Executive Order 14075 into law which amounted to a de facto enactment of the Equality Act. Executive Order 14075 instructs executive agencies to implement policies that promote, respect, endorse, and favor LGBTQ secular humanism ideology over non-religion and over other religions. Defendant Biden can be ordered by injunction to withdraw his unconstitutional Executive Orders.

Defendant Biden acting in concert with his co-Defendants is considering taking steps to erect non-secular convenience abortion facilities on federal lands at the taxpayer expense. This would be no different from an Establishment Clause perspective than if a Republican Christian President used public funds to construct a presbyterian church facility on federal grounds to convey that Christianity is the favored religion of the Nation.

87. Jeff Merkley is sued in his official capacity as a Senator from Oregon. He is the prime sponsor of the Equality Act in the Senate. As the bill's author, he has the procedural authority to pull the unconstitutional bill if ordered to do so by this Court.

88. Richard Blumenthal is sued in his official capacity as a Senator from Connecticut. He is added to this action in his capacity as a Senator as the prime sponsor of, S. 4132, the Women's

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[106]https://www.whitehouse.gov/wp-content/uploads/2022/05/S4132-SAP-Womens-Health-Protection-Act-of-2022.pdf

Health Protection Act.[107] He intends to continue to reintroduce the bill and promote it until it is enacted even though he knows that doing so violated his oath of office undertaken pursuant to Clause 3, Article VI of the United States Constitution. On June 13, 2022, Defendant Blumenthal, Defendant Merkley, and 21 other Democrat Senators sent a letter to Defendant Biden urging him to issue an Executive Order to effectively revive *Roe* and *Casey* on the day that the Supreme Court publishes the official *Dobbs* decision.[108] See, Decl. Gunter, Wiehle, & Sevier ¶ 20. As the prime sponsor of the Women's Health Protection Act, he has the authority to recall and rescind the bill if ordered to do so by this Court.

89. Judy Chu is sued in her official capacity as a Congressman from California. She is the House prime sponsor of the Women's Health Protection Act. As the prime sponsor of the bill, she has the authority to rescind and recall the bill if ordered to do so by this Court.

90. Merrick Garland is sued in his official capacity as the United States Attorney General, who is based in the District Of Columbia. He is Nation's chief law enforcement officer. Upon information and belief, he is the chief enforcer of Defendant Biden's Executive Orders.

91. Xavier Becerra is sued in his official capacity as the Secretary of HHS. As an attorney and former Attorney General of California, he should be held to higher standards of care. He called the *Dobbs* decision "despicable" and has vowed to undermine it at the expense of the rights afforded to the Plaintiffs right under the Tenth Amendment to regulate licentious religious practices - like convenience abortion.[109] He has been taking every step imaginable to

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[107] https://www.govinfo.gov/app/details/BILLS-117s4132pcs

[108] See: https://msmagazine.com/2022/06/13/biden-executive-order-abortion/ See also: https://www.warren.senate.gov/imo/media/doc/2022.06.07%20Letter%20to%20POTUS%20on%20Abortion%20EO.pdf. The Defendants are clearly acting in concert and have formed a conspiracy to violate the Establishment Clause of the First Amendment either due to ignorance or malice.

[109] Biden HHS Secretary, Who Grinned, Refused To Say 'Mother,' Calls SCOTUS Roe Decision 'Despicable'https://www.dailywire.com/news/biden-hhs-secretary-who-grinned-refused-to-say-mother-calls-scotus-roe-decision-despicable

promote LGBTQ and convenience abortion ideology and practices through the organs of government. Defendant Becerra is in the process of enacting Rules that will cause taxpayer funds to be used to pay for travel vouchers to be used to pay for the citizens in red states to travel to blue states so that they can undergo the non-secular procedure of convenience abortion, as a way to undercut States' rights and sovereignty. Upon information and belief, such government action is unconstitutional under the Establishment Clause for the same reason that it would be unconstitutional for a Christian Republican administration to use public funds to provide travel vouchers to the citizens of blue states so that they could travel to a red state to attend a Christian church service.[110] Defendant Becerra is generating rules to provide abortion drugs to citizens of the red states that have made such practices a crime, causing Defendant Becerra to be racketeering in both criminal and constitutional violations of the law due to his ignorance and refusal to see that he is misusing his office to entangle our government with the religion of secular humanism. Defendant Becerra, as the Secretary of HHS, is tasked with implementing Executive Orders, like Executive Order 14075, that are directed at HHS.[111] HHS has built websites or has created policies that promote websites that are designed to undermine state rights by informing minors how they can get an abortion in blue states without their parents knowing about it. [112] While Defendant Becerra could promote those kinds of pro-child sacrifice websites in his personal capacity, he cannot do so in his official government capacity, as he is currently doing.

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[110]https://www.cnn.com/2022/06/28/health/hhs-secretary-abortion-access-announcement/index.html

[111] "Biden Directs HHS To Expand Access To Trans Sex Change Surgeries, Including For Children."
https://www.dailywire.com/news/biden-directs-hhs-to-expand-access-to-transgender-care-including-for-children

[112]https://www.hhs.gov/about/news/2022/06/29/hhs-issues-guidance-to-protect-patient-privacy-in-wake-of-supreme-court-decision-on-roe.html

92. The Defendants are people who hate God, Jesus Christ, and the Bible, and anyone who, like the Plaintiffs and over half of the country, who believe in God. The Defendants are enemies of the truth and have contempt for United States Constitution and see it as an obstacle to their goal to turn America into a secular humanist theocracy. The Defendants lack the character and fitness to serve in public office because they do not know the objective difference between right and wrong, real and fake, and secular and non-secular.

VII. EXECUTIVE ORDER 14075 AND THE EQUALITY ACT FACTS

93. On February 18, 2021, Rep. Cicilline introduced the Equality Act in the 117th Congress. Defendant Pelosi presented the unconstitutional bill to the floor of the House. The House passed the act on February 25, 2021. The bill then moved on to the Senate for consideration. Defendant Merkley is the prime sponsor and author of the bill in the Senate.

94. The Equality Act is a bill in the United States Congress, that threatens to amend the Civil Rights Act of 1964 (including Titles II, III, IV, VI, VII, and IX) to prohibit discrimination on the basis of non-secular sexual orientation orthodoxy and gender identity ideology in employment, housing, public accommodations, education, federally funded programs, credit, and jury service [113] in a manner that elevates secular humanism as advocated by the licentious LGBTQ cult as the sovereign and supreme religion of the Nation in a manner that obviously violates the Establishment Clause, Free Speech Clause, and Free Exercise Clause of the First Amendment of the United States Constitution.

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[113] In legislative finding (19) the Equality Act reads, "there is, however, an unfortunate and long-documented history in the United States of attorneys discriminating against LGBTQ individuals, or those perceived to be LGBTQ, in jury selection." This finding is unconscionable. During voir dire, counsel for both the defense and plaintiff select jurors based on a range of considerations to include their core identity and fundamental religious beliefs. The Defendants bill not only constitutes a form of unlawful obstruction of justice and jury tampering, it also is clearly crafted to show respect and favoritism of the religion of secular humanism over non-religion and over all other religions in violation of the Establishment Clause of the First Amendment of the United States Constitution.

95. Under the Equality Act, "disagreement" is "discrimination." For a person to disagree with the merits of the controversial LGBTQ cult's core doctrine and practices is actionable discrimination under a range of federal statutes if the bill gets enacted. The bill is literally the mirror opposite of the School Establishment Clause Act (SECA) by Rep. Garber of Kansas[114] and the Establishment Act introduced by state Rep. Jones of North Dakota HB 1476,[115] which are just two of hundreds of bills that have been introduced by state legislators that were substantially authored by the Plaintiffs that attempt to regulate licentious LGBTQ religious practices that are harming the representatives' constituents in material ways.

96. The Equality Act affirms the legal legitimacy of non-secular homosexual marriage,[116] men competing in women's sports out of respect for their non-secular self-asserted sex-based identity narrative, and mandating that doctors perform procedures like gender reassignment surgery that go against their conscience in violation of the Free Exercise and Establishment Clause of the First Amendment of the United States Constitution, not to mention the Hippocratic oath.

97. The Equality Act threatens to strip Americans, like the Plaintiffs, who are Christ-followers, who believe the Bible's position on LGBTQ ideology practices and ideology that it is immensely immoral, of their fundamental civil rights under the First Amendment.

98. By redefining sex discrimination under subsection (a) and subsection (b) of section 1101,[117] the measure provides for abortion on demand at the taxpayers' expense in a manner that

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[114] https://www.dropbox.com/s/40vf5vm65dwy5sk/Kansas%20School%20Establishment%20Clause%20Act%20%28SECA%29%20OFFICIAL.pdf?dl=0). To better understand the Establishment Act and why all 50 states and the federal congress must enact it to reverse constitutional breakdown, watch this video: https://www.youtube.com/watch?v=UPMlrzJ071o

[115] https://legiscan.com/ND/bill/1476/2021

[116] The only form of marriage that the US Constitution permits the state and federal governmetn

[117] Section 1101(b) of the Equality Act states that (1) (with respect to sex) pregnancy, childbirth, or a related medical condition shall not receive less favorable treatment than other physical conditions"

(1) is the mirror opposite of the Life Appropriation Act or Fund All Life Establishment Clause Act (FALECA) authored by some of the Plaintiffs and in a manner that (2) violates the Establishment Clause of the First Amendment for failing prongs I II, and III of *Lemon*. What the Defendants fail to understand is that the underlying legal basis for the Hyde Amendment is the Establishment Clause of the First Amendment. Even if the Equality Act had the surreptitious effect of repealing the Hyde Amendment, the Equality Act cannot repeal the Establishment Clause of the First Amendment, and the Establishment Clause preempts the Equality Act in all respects under Article VI Clause 2 of the United States Constitution. For the government to give public funds to convenience abortion providers constitutes government action that fails prongs I and III of the *Lemon* test for the same reason the government cannot award public funds to the little sisters of the poor. [118] Awarding public funds in the manner complained of constitutes excessive entanglement with a religion.

99. The Equality Act removes conscience protections for doctors and nurses and outright bans conversion therapy, imposing undue restrictions on speech that fail all three levels of scrutiny from every angle. The enactment of the measure would decimate the livelihoods of Plaintiffs and millions of others who are similarly situated and could result in incredible suffering and escalate into violent conflict throughout the country.

100. The measure would require men and women to share bathrooms in schools and public places in a manner that is not only self-evidently in total opposition of common sense and safety but as a ploy to force all Americans to acknowledge that all of America is under the thumb of a secular humanist theocracy.

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[118]To understand the Life Appropriation Act and how the Establishment Clause is the underlying basis for the Hyde Amendment see this video of a hearing in the Rhode Island (Defendant Cicilline's home state) finance committee:
https://www.youtube.com/watch?v=wVDrnFTwJJo&t=377s

101. As therapists or as authors or advocates of legislative measures like the "Save Our Children Act (SOCA)" and the "Fight Exploitation Funding Act (FEFA)," the Plaintiffs can attest firsthand that the Equality Act normalizes false permission-giving beliefs about sex and will set up minors to be groomed and sexually exploited with more frequency to the sinister delight of the Defendants, who have an emotional problem with reality.

102. Under the Equality Act, Christian beliefs, held and promoted by the Plaintiffs, are unlawful. The law would prohibit the Plaintiffs and churches from requiring their employees to abide by Biblical beliefs about marriage and the differences between men and women. The act prohibits the Plaintiffs from imposing dress codes on their employees that align with their economic and personal objectives.

103. The Equality Act makes a mockery of the notion that tolerance must be a two-way street, treating people of the Christian faith, like the Plaintiffs, as second-class citizens, non-humans, and villains. The Equality Act assumes that ex-gays, like Plaintiff Schwab and the hundreds of clients treated by Plaintiffs Vazzo and Sciba simply do not exist and are, therefore, not entitled to any civil rights whatsoever.[119]

104. On June 15, 2022, Defendant Biden enacted Executive Order 14075. His statements at the press conference made it clear that he was conspiring with Senator Merkley and others to enact the Equality Act and that Executive Order 14075 was a step undertaken to advance the enactment of the Equality Act. Executive Order 14075 is designed without a primary secular purpose. It commands that HHS, DOJ, and other administrative agencies take steps to entangle

[119] Because Executive Order 14075 and the Equality Act assume that ex-gays, like Plaintiff Schwab, do not exist the legal principle in *Romer* applies more to ex-gay Americans than to self-identified homosexuals because pro-LGBTQ laws deny ex-gays of their very existence. See *Romer v. Evans,* 517 U.S. 620, 634-35 (1996) (citing *Dep't of Agr. v. Moreno*, 413 U.S. 528, 534 (1973)) ("[I]f the constitutional conception of 'equal protection of the laws' means anything, it must at the very least mean that a bare. . . desire to harm a politically unpopular group cannot constitute a legitimate governmental interest.").

our government with LGBTQ secular humanist doctrine and to encourage LGBTQ practices, all at the taxpayers' expense. Executive Order 14075 commands that the executive agencies move to excessively entangle our government with the religion of secular humanism as advocated by the licentious LGBTQ cult so that there is no question that the United States favors and endorses secular humanism over non-religion and over other religions.

VIII. FACTS SURROUNDING THE WOMEN'S HEALTH PROTECTION ACT AND THE CONNECTED EXECUTIVE ORDERS CRAFTED TO UNDERMINE DOBBS AND STATES' RIGHTS AFFORDED UNDER THE TENTH AMENDMENT

"Above all, don't lie to yourself. The man who lies to himself and listens to his own lie comes to a point that he cannot distinguish the truth within him, or around him, and so loses all respect for himself and for others. And having no respect he ceases to love." Upon information and belief, this insight by Fyodor Dostoevsky in the "The Brothers Karamazov" cuts to the heart of the entire abortion debate. - quoting the May 2022 Daily Wire documentary "Choosing Death the Legacy Of Roe."

105. For fifty years the pro-abortion death cult in conjunction with the Democrat party has done everything it can to focus the debate away from mothers and babies and onto dubious and abstract rights. See *Dobbs* decision.

106. In *Roe,* the secular humanist judges in the majority pretended that emanations and penumbras of the Constitution, unknown to the people who wrote the Constitution, and invisible to the naked eye had actually and secretly enshrined a right to engage in the right to perform non-secular convenience abortion that had - for whatever reason - gone undetected until 1973. *Id.*

107. The evidence shows that it was a lie and an egregiously wrong interpretation of the Constitution. No matter how much the pro-abortion death cult acting in concert with their Democrat patsies wished it were so, the Constitution simply does not include any right for a person to perform or undergo a non-secular convenience abortion, which is more likely than not the murder of an innocent person. *Id.*

108. In the 1990s, the pro-abortion death cult and their advocates in the Democrat party called for convenience abortion to be safe, legal, and rare. Today, they call for non-secular

convenience abortion on demand throughout every stage of pregnancy up until the moment of birth. Sometimes even after birth. See the Women's Health Protection Act and the Defendants' plans to introduce and enact similar legislation and Executive Orders at all costs.

109. Approximately, over 875,000 babies are killed every year as the result of non-secular convenience abortions.[120] That slaughter is allowed to continue because of the lie in *Roe* that is also reflected in the Women's Health Protection Act of 2022 and executive action that the Constitution allowed for the right to perform or to have a non-secular convenience abortion. That "legal lie" derives from a "biological lie" namely that the baby in the womb is not a person - a living human being. It derives also from a statistical lie pulled out of thin air by the Planned Parenthood death cult that in the years before *Roe* thousands of women die each year from illegal convenience abortions. Now almost 50 years after *Roe*, the Supreme Court in *Dobb* corrected the record and came clean about abortion. The Planned Parenthood death cult in concert with the Defendants are showing that they will stop at nothing to maintain the lie.

110. On May 2, 2022, politico reported that it had obtained a leaked draft of a majority opinion in *Dobbs*, which not only upheld Mississippi's HB 1510 that restricted non-secular convenience abortion practices to 15 weeks but went further to overrule *Roe* and *Casey.*[121]

1111. The leak sent shock ways throughout Washington. The following day, Chief Justice Roberts confirmed that the leaked draft was authentic, calling the leak a singular and egregious breach of the trust of the court.[122]

112. Two days after the leak a denominational sect of the abortion death cult, calling itself "Ruth Sent Us" published the home addresses of six Supreme Court justices, the five who

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[120] https://firstchoiceprc.com/pro-life-movement?gclid=Cj0KCQjw-JyUBhCuARIsANUqQ_I36pf6dRVdFFbR1KbduveOsNdUDuVXmJUqldXIUcxo0W3rUi_YRwAaArSLEALw_wcB; https://www.dailywire.com/videos/choosing-death-the-legacy-of-roe

[121] https://www.politico.com/news/2022/05/02/supreme-court-abortion-draft-opinion-00029473

[122] https://www.cnn.com/2022/05/03/politics/supreme-court-john-roberts-roe-v-wade/index.html

voted to overrule *Roe* as well as Chief Justice Roberts, who had appeared to have sided with the secular humanist justices.[123]

113. Around the Country, devout members of the pro-abortion death cult began targeting the ordinary defenders of life, including some of the Plaintiffs. Activists stormed churches on mother's day - shouting for abortion.[124]

114. Pro-life pregnancy centers in Oregon, Wisconsin, and Maryland were hit with vandalism and arson. In Madison Wisconsin, a pro-abortion death group took credit for the attack, "saying if abortions aren't safe, then you aren't either."[125]

115. What is clear is that telling the truth requires extraordinary courage. The people who make up the pro-life movement from the grassroots level to the highest reaches of the government are risking their lives to tell the truth regarding what the United States Constitution actually says and requires. If the Justices on the Supreme Court can face down the mob for the truth, then so can the Plaintiffs and so can this Court.

116. On June 8, 2022, Nicholas John Roske traveled from his home in California to Maryland for the purpose of murdering Justice Kavanaugh and his family because of Justice Kavanaugh's alleged action to overturn Roe and for his alleged pro-Second Amendment leanings. See Decl. Gunter, Wiehle, & Sevier ¶¶ 4 - 9.[126]

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[123] https://www.dailymail.co.uk/news/article-10819857/Pro-choice-activist-group-Ruth-Sent-says-TikTok-account-permanently-banned.html

[124] https://www.standingforfreedom.com/2022/05/pro-abortion-activists-target-catholic-churches-plan-to-protest-inside-during-mass-on-mothers-day/
Pro-abortion activists targeting churches for Mother's Day protests
https://www.youtube.com/watch?v=VwKeepoeewk

[125] https://www.nytimes.com/2022/05/08/us/madison-anti-abortion-center-vandalized.html

[126] The Plaintiffs are making a herculean effort to keep *Roe* and *Casey* reversed based on the different arguments than the one raised in *Dobbs,* and they are the author of the Keep Roe Reversed Forever Act, and the Plaintiffs are so pro-Second Amendment that they are the authors of the Matthew McConaughey's law, also referred to as the Transferred Right Of Self-Defense Active School Shooter Act (TROS DASSA). The Plaintiffs could foreseeably be targeted by

117. The Defendants still have not condemned the threats to Supreme Court Justices and the protests outside of their homes in a serious or sincere way.[127]

118. The Biden Department of Justice's responsiveness to attacks on pro-life groups, like the Plaintiffs, has been questionable. [128]

119. The Family Research Council has compiled a list of over 60 pro-life advocacy groups that have been victimized in the wake of the leaked draft of the *Dobbs*' decision. See Decl. Gunter, Wiehle, & Sevier ¶ 11. [129]

120. On June 9, 2022, Defendant Biden during an appearance on "Jimmy Kimmel Live!" in Los Angeles, again pressed Congress to codify into law the right to abortion by enacting the Women's Health Protection Act, stating:

> "I think if the court overrules *Roe v. Wade* and does what is drafted [sic] ... if that occurs, I think we have to, we have to legislate it. We have to make sure we pass legislation making it a law that is the federal government since this is how it works.....I think what we're going to have to do. There's some executive orders I could employ, we believe -- we're looking at that right now." See Decl. Gunter, Wiehle, & Sevier ¶ 19.

Defendant Biden in concert with the other Defendants have and will continue to undertake government action to undermine the Dobbs decision and to take the power to regulate deadly convenience abortion practices out of the hands of the States and of the people and back into the blood-stained hands of the federal government.

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people like Nicholas John Roske and Jane's Revenge for their relentless pro-life advocacy and pro-Second Amendment efforts. See Decl. Gunter, Wiehle, & Sevier ¶¶ 4 - 9.

[127] https://nypost.com/2022/06/13/white-house-still-wont-condemn-protests-at-scotus-homes-after-brett-kavanaugh-threat/

[128] https://www.cotton.senate.gov/imo/media/doc/janes_revenge1.pdf

[129] https://downloads.frc.org/EF/EF22F17.pdf

121. On June 13, 2022, Defendant Blumenthal, Defendant Merkley, and 21 other Democrat Senators sent a letter to Defendant Biden urging him to issue an Executive Order to effectively revive *Roe and Casey* on the day that the Supreme Court publishes the official *Dobbs* decision. [130] See Decl. Gunter, Wiehle, & Sevier ¶ 20.

122. Defendants Biden and the Congressional Defendants have been conspiring to get the Equality Act and Women's Health Protection Act enacted.

123. 63 million unborn babies have been killed following *Roe* and tens of thousands of them were past the age of viability and some have been born alive and become the victim of infanticide.[131]

124. The Women's Health Protection Act was reintroduced in the 117th Congress by prime sponsor Defendant Chu (D-CA). The Women's Health Protection Act of 2021 was introduced with 176 supporters in the House and 48 in the Senate. The bill passed the House in September 2021. On February 28, 2022, the bill failed in the Senate by a slim majority but it can be revived easily.[132] On May 4, 2022, the bill was revived and introduced again in the Senate by Defendant Blumenthal under a slightly different title. The Defendants are resolved to continue to press to enact the Women's Health Protection Act or substantially similar legislation through any means necessary until it is enacted, and the Defendants will even encourage "useful idiots" to carry out acts of violence and destruction to do so. It is sedition because the Defendants are using

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[130]See: https://msmagazine.com/2022/06/13/biden-executive-order-abortion/
See also:
https://www.warren.senate.gov/imo/media/doc/2022.06.07%20Letter%20to%20POTUS%20on%20Abortion%20EO.pdf

The Defendants are acting in concert with each other to violate the Establishment Clause of the First Amendment and the Tenth Amendment of the United States Constitution. The Defendants are driven by a moral superiority complex that makes them a severe internal threat to national security interests that are real, not imaginary.

[131] https://www.bound4life.com/statistics

[132]https://www.lawyerscommittee.org/senate-fails-to-advance-womens-health-protection-act-whpa/

powers that was not conferred by the Constitution on the federal government under Clause 2 Article VI of the expense of very real power conferred to the states pursuant to the Tenth Amendment of the United States Constitution.[133] This Court is asked to resolve this Constitutional crisis.

125. Alternative common ground legislative solutions that the Plaintiffs would not object to are attached as Appendix F. The Plaintiffs have provided these proposed solutions because passions run high when it comes to these matters. For example, because the Plaintiffs have framed LGBTQ and convenience abortion matters as a matter of religion - and they are - belief in those religious ideologies are already protected in statutes like Titles II, III, IV, VI, VII, and IX when those statutes prohibit the government from discriminating on the basis of religion.

IX. FIRST CLAIM FOR RELIEF

Violation of A U.S. Constitution, First Amendment, Establishment Clause

126. Plaintiffs repeat and incorporate by reference each allegation of the prior paragraphs as if fully set forth herein. The Establishment Clause of the First Amendment to the United States Constitution declares that "[the government] shall make no law respecting an establishment of religion." U.S. Const. amend. I.. The Establishment Clause prohibits the government from favoring one religion over another, or religion over nonreligion. The Defendants are bound by the Constitution to be neutral as towards religion, and yet they refuse to be by attempting to enact legislation, like the Equality Act, Executive Order 14075, new HHS Rules that promote LGBTQ ideology and convenience abortion practices, the Women's Health

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[133] It is terrifying to think how true and applicable the words of President Lincoln were in his Lyceum address on January 27, 1839 as applied here: "From whence shall we expect the approach of danger? Shall some trans-Atlantic military giant step the earth and crush us at a blow? Never. All the armies of Europe and Asia...could not by force take a drink from the Ohio River or make a track on the Blue Ridge in the trial of a thousand years. No, if destruction be our lot we must ourselves be its author and finisher. As a nation of free men we will live forever or die by suicide."

Protection Act, the promised retaliation Executive Order to undercut Dobbs, and all similar executive and legislative policies that unequivocally lacks a primary secular purpose.

127. The United States Supreme Court has already found that secular humanism is a religion for purposes of the First Amendment of the United States Constitution.[134] According to the testimonies of ex-gays, ex-transvestites, medical experts, persecuted Christians, and licensed theologians, the concepts of "sexual orientation" and "gender identity," have nothing to do with

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[134] The United States Supreme Court already found that Secular Humanism is a religion for the purposes of the First Amendment Establishment Clause in *Torcaso v. Watkins*, 367 U.S. 488, n. 11 (1961), stating "among religions in this country which do not teach what would generally be considered a belief in the existence of God are Buddhism, Taoism, Ethical Culture, Secular Humanism, and others. See *Washington Ethical Society v. District of Columbia,* 249 F.2d 127, 101 U.S. App. D.C. 371 (D.C. Cir 1957); *Fellowship of Humanity v. County of Alameda*, 153 Cal.App.2d 673, 315 P.2d 394 (1957); II Encyclopaedia of the Social Sciences 293; 4 Encyclopaedia Britannica (1957 ed.) 325-327; 21 id., at 797; Archer, Faiths Men Live By (2d ed. revised by Purinton), 120-138, 254-313; 1961 World Almanac 695, 712; Year Book of American Churches for 1961, at 29, 47."

See also - *School District of A Bington Township, Pa. v. Schempp,* 374 U.S. 203, 225 (1963)("[T]he State may not establish a "religion of secularism" in the sense of affirmatively opposing or showing hostility to religion, thus "preferring those who believe in no religion over those who do believe.")

See also - the decision in *United States v. Seeger,* 380 US 163, 166 (1965) defined religion as all sincere beliefs "based upon a power or being, or upon a faith, to which all else is subordinate or upon which all else is ultimately dependent." Thus, according to *Seeger,* "religion" includes atheists and agnostics, as well as adherents to traditional theism. The logical conclusion from the Seeger decision is that "[a]bsolute vertical disbelief in the traditional sense - disbelief in God - is irrelevant" to First Amendment considerations. *Id. See generally* Bowser, *Delimiting Religion in the Constitution: A Classification Problem,* 11 VAL. U.L. REV. 163 (1977); Boyan, *Defining Religion in Operational and Institutional Terms,* 116 U. PA. L. REv. 479 (1968); Clancy and Weiss, The Conscientious Objector Exemption: *Problems in Conceptual Clarity and Constitutional Considerations,* 17 ME.L. REV. 479 (1968); Clark, *Guidelines for the Free Exercise Clause,* 83 HARV. L. REV. 327 (1969); Killilea, *Standards for Expanding Freedom of Conscience,* 34 U. Prrr. L. REv. 531 (1973); Rabin, *When is a Religious Belief Religious: United States v. Seeger and the Scope of Free Exercise,* 51 CORNELL L.Q. 231 (1966); Comment, *Defining Religion: Of God, the Constitution and the* D.A.R., 32 U. CHI. L. REv. 533 (1965).

See also - in *Welsh v. United States*, 398 U.S. 333 (1970), the Supreme Court extended the *Seeger* rationale and held "that purely ethical and moral considerations were religious." The Supreme Court further blurred the distinction between religion and morality by holding that a sincere person may be denied an exemption only if his belief or belief system does "not rest upon and invade ethical or religious principles, but instead rests solely upon considerations of policy, pragmatism or expediency." *Id.* at 342-43.

"immutability" and "genetics", like race does. Instead, "sexual orientation," "homosexuality," "transgenderism," "gender identity" and "convenience abortion theory" are orthodoxies, doctrines, ideologies, and dogmas that are inseparably linked to the religion of secular humanism, as advocated by the licentious LGBTQ cult and the pro-abortion death cult. Id.[135] The Defendants have no argument against the testimonies of these experts and witnesses and instead float emotional appeals and circular slogans like "love is love" and "love wins," which are nothing more than just shallow sentimentality that cannot be used as the legitimate basis for law. In fact, the Defendants can best be described as elderly shallow collectivists who are ignorant and obnoxious.

128. By creating, introducing, promoting, favoring, endorsing, and threatening to enact or enforce the Equality Act and Executive Order 14057, the Defendants are guilty of maneuvering to establish secular humanism as advocated by the licentious LGBTQ cult and pro-abortion death cult as the dominant and supreme religion of the United States. By even threatening to codify sexual orientation orthodoxy and gender identity ideology the Defendants are guilty of promoting religion through the organs of government in a manner that directly harms the Plaintiffs and all pro-life Americans in a concrete way, subjecting them to vandalism and violence. [136]

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[135] (See Decl. Alliance of Black and White Ex-Gays and Ex-Trans. ¶ 7; Decl. Pastor Penkoski ¶¶ 1-34; Decl. Lisa Boucher ¶¶ 1-10; Decl. Christian Resistance ¶¶ 1-21; Decl. Dr. Cretella ¶¶ 1-20; Decl. Dr. King ¶¶ 1-20)

[136] The Establishment Clause permits the government to provide religious accommodations or exemptions from generally applicable laws only if, among other requirements, the accommodation (1) lifts a substantial, government-imposed burden on the exercise of religion, and (2) does not shift substantial costs or burdens onto a discrete class of third parties, without regard for the third parties' interests. In other words, the government may "accommodate" religion in accordance with the Free Exercise Clause, but it may not "promote" religion. Any policy or statute - including the ones at issue here - that recognize or respect "sexual orientation" orthodoxy or "gender identity" ideology:

(A) have the primary purpose and effect of favoring, preferring, and endorsing Secular

129. The mere introduction, promotion, endorsement, and threatened enactment of the Equality Act and Women's Health Protection Act by the Defendants constitutes government action that fails all three prongs of the *Lemon* Test by constituting non-secular shams that lack a secular purpose, by cultivating indefensible legal weapons against non-observers of the religion of secular humanism, and by excessively entangling the government with the religion of secular humanism, as advocated by the licentious LGBTQ cult and the pro-abortion death cult.[137]

Humanism religious beliefs and the LGBTQ denominations over others and over nonreligion;

(B) have the primary purpose and effect of preferring the religious beliefs of [the LGBTQ denomination and institutions over the lives and rights and interests of third parties - to include the Plaintiffs;

(C) impermissibly entangle government with the religion of Secular Humanism as advocated by the LGBTQ cult;

(D) coercively force all taxpayers to include non-observers of the religion of LGBTQ secular humanism bear the costs of promoting a religious worldview that they believe is completely immoral and harms the Free Exercise rights for non-observers of the licentious secular humanism religion to oppose its demented ideology;

[137] To pass muster under the Establishment Clause, a practice must satisfy the *Lemon* test, pursuant to which it must: (1) have a valid secular purpose; (2) not have the effect of advancing, endorsing, or inhibiting religion; and (3) not foster excessive entanglement with religion. Id. at 592 (citing *Lemon v. Kurtzman*, 403 U.S. 602 (1971)). It is important to understand that government action "violates the Establishment Clause if it fails to satisfy any of these prongs." *Edwards v. Aguillard*, 482 U.S. 578, 583 (1987); *Agostini v. Felton*, 521 U.S. 203, 218 (1997). The evidence shows that Defendants' decision to merely introduce the Equality Act fails all three prongs of the *Lemon* Test. At the core of the "Establishment Clause is the requirement that a government justify in secular terms its purpose for engaging in activities which may appear to endorse the beliefs of a particular religion." *ACLU v. Rabun Cnty. Chamberof Commerce, Inc.*,698 F. 2d 1098, 1111 (11th Cir.1983). This secular purpose must be the "pre-eminent" and "primary" force driving the government's action, and "has to be genuine, not a sham, and not merely secondary to a religious objective." *McCreary Cnty, Ky. v. ACLU of Ky.*, 545 U.S. 844 (2005). Under this second prong of the *Lemon* test, courts ask, "irrespective of the . . . stated purpose, whether [the state action] . . has the primary effect of conveying a message that the [government] is advancing or inhibiting religion." *Indiana Civil Liberties Union v. O'Bannon,* 259 F.3d 766, 771 (7th Cir. 2001). The "effect prong asks whether, irrespective of government's actual purpose," *Wallace v. Jaffree,* 4 72 U.S. 38, 56 n.42 (1985), the "symbolic union of church and state...is sufficiently likely to be perceived by adherents of the controlling denominations as an endorsement, and by the nonadherents as a disapproval, of their individual religious choices." *School Dist. v. Ball*, 473 U.S. 373, 390 (1985); *see also Larkin v. Grendel's Den*, 459 U.S. 116, 126-27 (1982)(even the "mere appearance" of religious endorsement is prohibited). The Defendants creation, introduction, endorsement, and promotion of the Equality Act - alone -

130. The Plaintiffs - and millions of other Americans - believe that LGBTQ and convenience abortion ideology and practices are self-evidently "immoral, indecent, lewd, and obscene." See *Schlegel v. United States*,416 F. 2d 1372 (Ct. Cl. 1969) and the *Dobbs* decision. It follows that the Plaintiffs and other Americans also believe that to enable acts of "immorality" is itself an act of "immorality." Therefore, the Defendants are in violation of the Establishment Clause by acting in concert to create, introduce, promote, endorse, threaten to enact, and enforce the challenged federal policies because such government action coercively causes the Plaintiffs and other Americans to violate their own conscience by the simple act of paying taxes to support a secular humanist theocracy. It is an evil that the Establishment Clause was designed to prohibit and a breach of our most fundamental and sacred social contracts that is the glue that keeps our Nation from dissolving into actual civil war, which the Plaintiffs are resolved to discourage and avoid.[138]

X. SECTION CLAIM FOR RELIEF

Violation of U.S. Constitution, First Amendment, Free Speech

140. Plaintiffs repeat and incorporate by reference each allegation of the prior paragraphs as if fully set forth herein. The Free Speech Clause of the First Amendment to the United States

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amounts to the cultivation of a "legal weapon that no [Christian or non-observer of Secular Humanism] can obtain." *City of Boerne v. Flores,* 521 U.S. 507 (1997).

[138] Romans 12:18: "Do all that you can to live in peace with everyone."
Romans 14:19: "Let us therefore make every effort to do what leads to peace and to mutual edification."
2 Corinthians 13:11: "Finally, brothers and sisters, rejoice! Strive for full restoration, encourage one another, be of one mind, live in peace. And the God of love and peace will be with you."
Leviticus 19:17: "You shall not hate your brother in your heart, but you shall reason frankly with your neighbor, lest you incur sin because of him.
Ephesians 4:3: "Make every effort to keep the unity of the Spirit through the bond of peace."
Matthew 5:9 "Blessed are the peacemakers, for they will be called children of God."
Hebrews 12:14: "Make every effort to live in peace with everyone and to be holy; without holiness no one will see the Lord."
Psalm 37:37: "Consider the blameless, observe the upright; a future awaits those who seek peace."
James 3:18: "Peacemakers who sow in peace reap a harvest of righteousness."

Constitution declares: "[The government] shall make no law . . . abridging the freedom of speech." U.S. Const. amend. I.. The free speech clause prohibits the government from "chilling" a person's right to free expression. This includes speech that is conferred to state lawmakers and the people of a State, like the Plaintiffs, who are guaranteed the traditional right to regulate, restrict, and even completely licentious religious practices that cultivate secondary harmful effects that adversely impact their communities and constituents.

141. The Plaintiffs engage in pastoral care and/or therapeutic services for countless people who want to leave the LGBTQ secular humanist cult and convert to Christianity. The Plaintiffs make a living off of providing such care and services, and for advocating the right to oppose the licentious LGBTQ cult's and the pro-abortion death cult's destructive and irrational truth claims. The Plaintiffs also provide counseling and guidance that favors adoption, life, and the foster care system over convenience abortion.

142. The Defendants' decision to create, introduce, promote, endorse, and threaten to enact the Equality Act, Executive Order 14075, and the Women's Health Protection Act has had and will continue to have a chilling effect on the speech of the Plaintiffs and the thousands of individuals who come to them seeking to convert from the licentious LGBTQ cult religion and the pro-abortion death cult religion to Christianity, the religion that the Defendants have an extreme emotional problem with because it is true and convicting. Thousands of individuals seek to employ the Plaintiffs to help them heal from the trauma of having been seduced and brainwashed by the licentious LGBTQ cult or from having participated in the devasting practice of convenience abortion.

143. The Plaintiffs suffer direct economic harm by the Defendants' actions, and worse, the people who would otherwise come to them for pastoral or therapeutic services suffer extreme

even more mental injury and may even be more likely to commit suicide for not receiving adequate care due to the trauma they have experienced after being seduced to join the licentious LGBTQ cult or pro-abortion death cult, which dehumanizes, depersonalizes, desensitizes, and destroys.

144. The chilling effect imposed on the speech of Plaintiffs presented by introduction and threatened enforcement of the Equality Act, Executive Order 14075, the Women's Health Protection Act, HHS Rules, and all substantially similar policies is continually harmful to the Plaintiffs and multitudes of other Americans.

XI. THIRD CLAIM FOR RELIEF
Violation of U.S. Constitution, First Amendment, Free Exercise Clause

145. The Plaintiffs repeat and incorporate by reference each allegation of the prior paragraphs as if fully set forth herein. The Free Exercise Clause of the First Amendment of the United States Constitution states that the government "shall make no law...prohibiting the free exercise [of religion]. See U.S. Const. Amend. I.

146. While acting under the color of law in introducing, favoring, promoting, endorsing, and threatening to enact the Equality Act, Executive Order 14075, HHS new Rules, the Women's Health Protection Act, and the soon-to-be enacted Executive Order that relates to undercutting Dobbs, the Defendants had the effect and continue to have the effect of depriving the Plaintiffs of rights secured by the Constitution and laws of the United States, specifically the Free Exercise Clause of the First Amendment of the United States Constitution. The Plaintiffs are Christ-followers. They see the world through the lens of the Bible. The Bible frames homosexual conduct and convenience abortion practices as "sin" that is profoundly subversive to human flourishing, and the Plaintiffs are commanded to unapologetically oppose sin, better their

communities, and to oppose lies that cause suffering that the Defendants exploit for selfish reasons at the expense of their oath of office. [139]

147. The Defendants' decision to introduce, promote, endorse, and threaten to administer as soon as possible the Equality Act, Executive Order 14075, HHS Rules, the Women's Health Protection Act, and similar related policies was done in gross and reckless disregard of Plaintiffs' constitutional right to conscience.

XII. FOURTH CLAIM FOR RELIEF
Violation of U.S. Constitution, Tenth Amendment

148. Plaintiffs re-allege and re-aver all of the allegations contained in the previous paragraphs. The Tenth Amendment states, "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." Plaintiff Nichols is an elected State Representative, the power to regulate licentious religion practices is reserved to her and other State Representatives through the Tenth Amendment.. Plaintiff Sciba, Vazzo, Schwab, and Sevier are part of the "people," that the Tenth Amendment was referring to. Power is reserved to them as well in a less direct manner.[140]

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[139] Psalm 97:10: "O you who love the Lord, hate evil! He preserves the lives of his saints; he delivers them from the hand of the wicked."
Romans 12:9: Let love be genuine. Abhor what is evil; hold fast to what is good.
Proverbs 8:13: The fear of the Lord is hatred of evil. Pride and arrogance and the way of evil and perverted speech I hate.
Jude 1:23: Save others by snatching them out of the fire; to others show mercy with fear, hating even the garment stained by the flesh.
Psalm 45:7: You have loved righteousness and hated wickedness. Therefore God, your God, has anointed you with the oil of gladness beyond your companions;

[140] Plaintiff Sevier has been delegated to officially stand-in for state Representatives, Senators, Delegates, and Assembly Members in a majority of the states in several different official capacities. Besides being the key witnesses to speak on behalf of the prime sponsors who introduce bills they author at committee hearings all across the country in a variety of different committees, at least some of the Plaintiffs have been designated to work with the legislative research counsel and offices of legal services (OLS) to draft legislation for official introduction by the Member. A lot of the legislation that the Plaintiffs have been assigned to promulgate concerns the LGBTQ and convenience abortion issues.

149. The Defendants acting under the color of law deprived the Plaintiffs of powers and civil rights conferred to them under the Tenth Amendment to regulate licentious religious practices. As a long-standing part of American tradition and heritage, state Representatives and the people have been permitted to regulate licentious religious practices in accordance with the power provided through the Tenth Amendment at the expense of Free Exercise Clause of the First Amendment. The Tenth Amendment reserves powers to the Plaintiffs to regulate convenience abortion practices and homosexual conduct even though those practices are sacred to the religion of secular humanism.

150. By attempting to enact the challenged policies here, the Defendants have imposed on the Plaintiffs' rights afforded to them under the Bill of Rights.

XIII. FIFTH CLAIM OF RELIEF
CIVIL CONSPIRACY TO VIOLATE THE ESTABLISHMENT CLAUSE, FREE EXERCISE CLAUSE, FREE SPEECH CLAUSE OF THE FIRST AMENDMENT AND THE TENTH AMENDMENT OF THE UNITED STATES CONSTITUTION.

151. Plaintiffs re-allege and re-aver all of the allegations contained in the previous paragraphs. By working in concert to enact or threatening to enact the challenged federal policies the Defendants conspired and then acted in a manner that has injured the Plaintiffs. The Defendants formed an agreement to accomplish either an unlawful end, resulting in damage to the Plaintiffs.

152. The June 13, 2022 letter that Defendants Blumenthal and Merkley sent to Defendant Biden urging him to enact an executive order that undermines the *Dobbs* decision is evidence of concerted conspiracy. Defendant Biden's bloviating to NATO,[141] on Jimmy Kimmel Live, and elsewhere that while he will enact Executive Orders - that are illegal - to cut *Dobbs* off

[141] June 30, 2022, Biden called the Supreme Court's Dobbs decision a 'mistake' during NATO summit press conference. https://www.foxnews.com/media/biden-claims-outrageous-dobbs-v-jackson-decision-destabilizing-world-slammed-twitter

at the knees, it is vital that the filibuster[142] be removed so that the Women's Health Protection Act and the Equality Act be enacted is evidence of civil conspiracy. The Democrats have a majority in the Senate and could remove the filibuster.

153. Defendant Biden has gone out of his way to tether the Equality Act, which is on the cusp of enactment, to Executive Order 14075, which was enacted on June 15, 2022. At a press conference on June 15, 2022, Defendant Biden made that clear, that the Equality Act and Executive Order 14075 were linked together.

154. Defendant Biden uses the Military and HHS as an experimentation farm, treating Soldiers like lab rats. Defendant Biden is cramming down pro-LGBTQ policies in the Military and through HHS to normalize respect and belief in LGBTQ secular humanist ideology to make it easier for Equality Act to become enacted and enforced.

155. Defendant Becerra himself is sounding off in the media of illegal his plans to misuse HHS to undermine the *Dobbs* decision, while acknowledging that doing so is improper.[143]

XIV. DECLARATORY JUDGMENT

156. **Declaration Of Clause 3, Article VI Oath To Uphold The Constitution.**

Plaintiffs re-allege and re-aver all of the allegations contained in the previous paragraphs. Regardless of political affiliation, all members of the general assembly, which includes the Defendants, and all executive and judicial officers are bound by oath to put their own political and religious beliefs aside and to comply with their duty to honor their oath of office pursuant to Clause 3, Article VI to uphold the United States Constitution and to, therefore, immediately stop creating, endorsing, respecting, enacting, and enforcing policies, like the Equality Act, Executive

[142] June 30, 2022, Texas Tribune - "Biden says he supports changing Senate filibuster rules to protect abortion." rightshttps://www.texastribune.org/2022/06/30/joe-biden-filibuster-roe-wade/

[143] Becerra pledges boost for chemical abortion following 'despicable' Dobbs decisionhttps://pregnancyhelpnews.com/becerra-pledges-boost-for-chemical-abortion-following-despicable-dobbs-decision

Order 14075, the Women's Health Protection Act and all similar policies, that promote the plausibility of non-secular self-asserted sex-based identity narratives, sexual orientation orthodoxy, gender identity ideology or convenience abortion dogma because all of those policies violate the Establishment Clause of the First Amendment of the United States Constitution by failing all three prongs of the *Lemon* test established by the United States Supreme Court in *Lemon v. Kurtzman*, 403 U.S. 602 (1971) for:

(A) constituting non-secular shams that lack a primary secular purpose;

(B) cultivating indefensible legal weapons against non-observers of the religion of secular humanism; and

(C) serving to excessively entangle the government with the religion of secular humanism.

157. Because the Defendants created, endorsed, introduced, and seek to enact and enforce Executive Order 14075, the Equality Act, the Women's Health Protection Act, and similar policies at the taxpayer's expense, the Plaintiffs are asking that the Court find and declare that the Defendants violated their Clause 3, Article VI oath of office, or alternatively, that the Defendants lack the character and fitness to serve in office for failing to know the objective differences between:

(A) secular and non-secular,

(B) real and fake, and

(C) moral and immoral.

Either way, the Plaintiffs are asking the Court to declare that the Defendants violated their oath of office by creating, introducing, promoting, favoring, endorsing, and threatening to enact the challenged federal policies in a manner that foreseeably injured the Plaintiffs and other

non-observers of secular humanism, and will continue to do so until this legal charade to categorize self-identified homosexuals as a people group is permanently burned to the ground.

158. The Plaintiffs ask that the Court find and declare that America is unofficially a Christian Nation, and what the implications of that are.[144] America is unofficially a Christian Nation, not a secular humanist theocracy, and that state and federal laws can parallel the Christian principle principles but they cannot mandate belief in the plausibility of the free gift of Christianity. After all, it is beyond any serious question that the Fourteenth Amendment is based on Genesis 1:26–27. But this does not mean that the Fourteenth Amendment requires belief in the Creator of Genesis 1:26–27.

159. Plaintiffs are entitled to declaratory judgment pursuant to 28 U.S.C. § 2201 and in accordance with Federal Rules of Civil Procedure Rule 57, declaring that:

(A) Defendants' action to draft, introduce, favor, promote, endorse, and threaten to enact Executive Order 14075, the Equality Act, the Women's Health Protection Act, HHS rule changes, and all substantially similar policies are in violation of the Establishment Clause, the

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[144] The ultimate question raised by this controversy is whether America is a "secular humanist Nation" or a "Christian Nation." Justice Kennedy himself attempted to enshrine the modern cultural mindset of secular humanism into law by judicial fiat in *Casey*, when he declared that "at the heart of liberty is the right to define one's own concept of existence, of meaning, of the universe." In making this statement in a majority opinion, Justice Kennedy set out to establish that America was a secular humanist theocracy, and not a Christian Nation, as the Supreme Court recognized in *Church of the Holy Trinity v. United States*, 143 U.S. 457, 471 (1892). Justice Kennedy's fundamental secular humanist principle is exactly the same as Hitler's. In fact, Kennedy's faith-based principle can be boiled down to "to each his own," which in German translates to "Jedem das Seine," which is exactly what the sign hanging over the entrance of Buchenwald concentration camp read. So America is certainly not a Nazi-like secular humanist nation as Justice Kennedy and the Defendants wish in their fevered dreams, but the Plaintiffs stipulate that America is not officially a Christian nation either. The answer is this: America is unofficially a Christian nation insofar as the laws of the United States can parallel Christian principles but the government cannot mandate belief in Christianity. After all, Christianity is a relationship, not a religion, and mandating belief in Christianity by the government would promote the very legalism that Christ Himself was so adamantly opposed to - which means what it means. The Plaintiffs are asking this Court to make this official finding without apology through a declaration to provide clarity in the law that America is unofficially a Christian Nation.

Free Speech Clause, and the Free Exercise Clause of the First Amendment of the United States Constitution;

(B) the Defendants violated their Clause 3 Article VI oath of office to uphold the United States Constitution by creating, introducing, promoting, favoring, respecting, endorsing, and threatening to enact the Equality Act, Executive Order 14075, the Women's Health Protection Act, and all substantially similar policies.

(C) the School Establishment Clause Act (SECA), Keep Roe Reversed Act, the Stop WOKE Act, and the Life Appropriation Act, which are the legal opposite of the Equality Act, Executive Order 14075, and the Women's Health Protection Act, would survive judicial review if enacted by any of the 50 states even though they conflict with the challenged federal policies that are the target of this lawsuit;

(D) LGBTQ and convenience abortion ideology and practices inseparably linked to the religion of secular humanism and that those practices are religious in nature and promote licentiousness and promiscuity and potentially the death of a separate human being;

(E) while LGBTQ and convenience abortion dogma from the secular humanist church may be afforded some protections under the Free Exercise Clause of the First Amendment of the United States Constitution, the states may treat it as a disfavored religion whose practices may be regulated and even outlawed by the states in accordance with their constitutions because secular humanism (1) promote licentiousness and (2) are an attempt to justify practices that are inconsistent with the peace and safety of the government; and

(F) LGBTQ and convenience abortion secular humanist ideology and practices erode community standards of decency and undermine a litany of compelling governmental interests.

XV. INJUNCTIVE RELIEF

160. Plaintiffs re-allege and re-aver all of the allegations contained in the previous paragraphs. Plaintiffs have suffered and will continue to suffer, immediate and irreparable harm if this Court does not serve as an immediate check on the Defendants, by tabling Executive Order 14075, the Equality Act, and the Women's Health Protection Act in perpetuity by an injunction because the Defendants' action lack a primary secular purpose, cultivate an indefensible legal weapon against non-observers of secular humanism, excessively entangle the government with the licentious religion of secular humanism, chill the speech of the Plaintiffs and the individuals whom they provide pastoral and therapeutic care for or who they represent, and require that the Plaintiffs violate their conscience by being part of a secular humanist theocracy in violation of our most essential social contract promised under the Bill of Rights and Clause 2, Article VI of the United States Constitution.

161. Accordingly, temporary, preliminary, and permanent injunctive relief is hereby requested pursuant to Federal Rules of Civil Procedure, Rule 65 to stop the Equality Act, the Women's Health Protection Act, or substantially similar legislation from ever carrying the force of law.

XVI. DAMAGES

162. Plaintiffs re-allege and re-aver all of the allegations contained in the previous paragraphs. As a result of the Defendants' violations of the Plaintiffs' constitutional rights, the Plaintiffs have suffered or shall suffer, damages, including mental anguish and emotional distress. The Plaintiffs have suffered economic loss but they not asking for monetary compensation to be made whole again. All they ask for is constitutional compliance and the guarentees promised by the Constitution be afforded to them and all other Americans.

163. In the alternative, Plaintiffs request nominal damages for the violation of their constitutional rights. The Plaintiffs seek costs and reasonable attorney fees.

XVII. INJUNCTION ELEMENTS

164. Plaintiffs re-allege and re-aver all of the allegations contained in the previous paragraphs. In terms of a legal standard, there are four factors to obtain a preliminary/permanent injunction. [145]

A. THE PLAINTIFFS ARE SUBSTANTIALLY LIKELY TO PREVAIL ON THE MERITS

165. The Plaintiffs are substantially likely to prevail on the merits.[146]

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[145] LEGAL STANDARD: A preliminary injunction is a stopgap measure to "preserve the relative positions of the parties" pending judicial review on the merits. *Univ. of Texas v. Camenisch*, 451 U.S. 390, 395 (1981). A plaintiff seeking a temporary restraining order or preliminary injunction must establish (1) "that he is likely to succeed on the merits," (2) "that he is likely to suffer irreparable harm in the absence of preliminary relief," (3) "that the balance of equities tips in his favor," and (4) "that an injunction is in the public interest." Winter v. Nat. Res. Def. Council, Inc., 555 U.S. 7, 20 (2008). The first two factors, the likelihood of success on the merits and a showing of irreparable injury absent a stay, are the most critical. *E.T. v. Paxton*, No. 21-51083, 2021 WL 5629045, at *2 (5th Cir. Dec. 1, 2021).

The standards for securing a temporary restraining order or preliminary injunction are substantively the same. *Whole Woman's Health v. Paxton*, 264 F. Supp. 3d 813, 818 (W.D. Tex. 2017). To preserve the status quo, federal courts have regularly enjoined federal agencies from implementing and enforcing new regulations pending litigation challenging them. See, e.g., *Texas v. United States*, 787 F.3d 733 (5th Cir. 2015) (enjoining executive order inconsistent with immigration statutes). Here, Plaintiffs satisfy each of the requirements for the issuance of a temporary restraining order and preliminary injunction.

The Plaintiffs may seek a temporary restraining order until the Court can rule on the Plaintiffs motion for a preliminary injunction. See *Forman v. Dallas Cnty.*, Tex., 193 F.3d 314, 323 (5th Cir. 1999) (explaining that "[a] temporary restraining order is a 'stay put,' equitable remedy that has as its essential purpose the preservation of the status quo while the merits of the case are explored through litigation.")

[146] The Plaintiffs will attempt to explain their positions in the simplest terms possible for why they are likely to prevail on the merits. One of the greatest problems facing our Nation is the refusal of certain government officials, mainly in the Democrat party, to understand the differences between a "secular policy" and a "non-secular policy." Respectfully, the Defendants - along with Justices Sotomayor, Breyer, and Kagan - apparently refuse to see that non-theistic secular humanism is a religion in the same way that mainstream institutionalized theistic faiths, like Christianity and Judaism, are. Perhaps this is because the Defendants have an emotional problem with the truth or the Creator Himself, having unwisely banked their entire identity and life on the unproven belief that truth is merely a man-made convention. Their entire essence is on the line. Meanwhile, long before the egregiously wrong decisions in *Roe* and *Obergefell*, the United States Supreme Court correctly recognized the fact that secular humanism is a religion for the purpose of the First Amendment starting in *Torcaso v. Watkins,* 367 US 488 (1961). # So what does that even mean in common-sense English? It means, from the perspective of

government, when something is categorized as "religion," two parts of the United States Constitution are immediately triggered (1) the "Establishment Clause" and (2) the "Free Exercise Clause" of the First Amendment. The Establishment Clause concerns the principle of the separation of church and state and prohibits the government from enacting policies that directly or indirectly promote, favor, or endorse a particular religious worldview in an excessive manner that puts one religion over non-religion or other religions; whereas, the Free Exercise Clause allows for individual citizens to believe in the plausibility of unproven religious truth claims without fear of being discriminated against or persecuted by the government. More than just belief in religious truth claims, the Free Exercise clause allows individuals to put into practice those spiritual truth claims to a certain extent. However, the Free Exercise Clause is not absolute. See *Reynolds v. United States*, 98 U.S. 145 (1879) and *Davis v. Beason*, 133 U.S. 333, 348 (1890). In terms of actual American tradition and heritage, if a religious practice (1) promotes licentiousness or (2) attempts to justify practices that are inconsistent with the peace and safety of the state - which convenience abortion practices and LGBTQ conduct certainly do to the point of cultivating derangement, violence, and a litany of varying secondary harmful effects - then the state government is permitted under the Tenth Amendment to ban, abolish, and even criminalize those practices with constitutional impunity under the State's inherent police power. The States have broad authority to enact legislation for the public good—what [the Supreme Court] ha[s] often called a "police power." *United States v. Lopez*, 514 U. S. 549, 567 (1995).

Even though adultery, child sex abuse, and polygamy are sacred practices in certain religious communities, those practices have been deemed licentious and can be regulated by the States and the people with impunity at the expense of the Free Exercise Clause under the Tenth Amendment in accordance with American tradition and heritage. See *King v. United States*, 17 F.2d 61, 63 (4th Cir. 1927); *United States v. Clapox*, 35 F. 575 (Or. Dist. Ct. 1888); *Lake v. Governor*, 2 Stew. 395, 398 (Ala. 1830); *Kelley v. State*, 226 S.W. 137, 138 (Ark. 1920); *Tully v. Tully*, 69 P. 700, 700 (Cal. 1902); *In re Estate of Jessup*, 22 P. 742, 746 (Cal. 1889). Some courts have equated "licentiousness" with incest as well. See *Campbell v. Crampton*, 2 F. 417, 428 (C.C.N.D.N.Y 1880); *Mut. Life Ins. Co. v. Terry*, 82 U.S. (15 Wall.) 580, 589 (1872); *Hansel v. Purnell*, 1 F.2d 266, 270–71 (6th Cir. 1924); *People v. Stouter*, 75 P. 780, 780–82 (Cal. 1904); *People v. Adams*, 47 P.2d 320, 320 (Cal. App. 1935); *Cheeseman v. Cheeseman,* 278 P. 242, 242 (Cal. App. 1929); *People v. Camp*, 183 P. 845, 848 (Cal. App. 1919); In re Petition of Todd, 186 P. 790, 795 (Cal. App. 1919); *People v. Hoosier*, 142 P. 514, 516 (Cal. App. 1914); *People v. Anthony*, 129 P. 968, 970 (Cal. App. 1912); *Blount v. State*, 138 So. 2, 2–3 (Fla. 1931); *Davis v. Beason,* 133 U.S. 333, 348 (1890). The term "licentiousness" has been used by multiple courts in cases prosecuted under the White Slave Act of 1910, ch. 395, 36 Stat. 825 (current version at 18 U.S.C. §§ 2421–2428 (2006)). See *Athanasaw v. United State*s, 227 U.S. 326, 331 (1913) (affirming conviction for transporting a girl for the purpose of debauchery in violation of the White Slave Act); *United States v. Long*, 16 F. Supp. 231, 232 (E.D. Ill. 1936) (convicting defendant for transporting two girls for the purpose of debauchery in violation of the White Slave Act).

The Defendants' statements to the media in response to the leaked *Dobbs* decision - referenced in the amended complaint and public record - shows that convenience abortion practices and homosexual practices are sacred sacraments in secular humanism. While citizens can belief in the merits of secular humanism ideology and practices, the States and the people

166. The Plaintiffs are likely to win on the merits based on the combination of 16 factors. First, the United States is a Constitutional Republic, not a secular humanist theocracy. That means that the highest level of authority in the Nation is the United States Constitution and not the unexamined assumption of the superiority of our cultural moment.[147] Second, the First Amendment Establishment Clause and the Tenth Amendment synergistically prevent the three branches of the federal government from endorsing, enacting, and enforcing policies that force all Americans to respect licentious religious practices that flow out of the religion of secular humanism. Third, the Supreme Court already recognized that secular humanism is a religion for purposes of the First Amendment.[148] Fourth, countless former self-identified homosexual

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can regulate those practices with immunity at the expense of the Free Exercise Clause of the First Amendment.

[147] The U.S. Constitution, art. VI, Cl 2 states: "This Constitution, and the Laws of the United States which shall be made in Pursuance thereof;; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land;; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding." As such, "[t]he Constitution of the United States and all laws enacted pursuant to the powers conferred by it on the Congress are the supreme law of the land (U. S. Const., art. VI, sec. 2) to the same extent as though expressly written into every state law." *People ex rel. Happell v. Sischo*, 23 Cal. 2d 478, 491 (Cal. 1943) (citing *Hauenstein v. Lynham*, 100 U.S. 483, 490 (1880);; *Florida v. Mellon*, 273 U.S. 12, 17 (1927).

Constitutional analysis must begin with"the language of the instrument," *Gibbons v. Ogden*, 9 Wheat. 1, 186-189 (1824), which offers a "fixed standard" for ascertaining what our founding document means, J. Story, Commentaries on the Constitution §399 (183). The Constitution makes no express reference to a right to obtain a convenience abortion or the have homosexual conduct respected and therefore those who claim that it protects such a right must show that the right is somehow implicit in the constitutional text. "Roe [and *Obergefell*], however, [were] remarkably loose in [their] treatment of the constitutional text." See *Dobbs* leaked decision at page 9 Appendix D.

[148] From the inception of the country, until the 1940s, religion was defined as theism (a belief in God) by the courts of the United States. See *Reynolds v. United States*, 98 U.S.145, 166-167 (1878), *Davis v. Beason*, 133 U.S. 333 (1890), *United States v. Macintosh*, 283 U.S. 605 (1931). From the 1940s forward, religion has included non-theism and theism for purposes of the First Amendment Establishment Clause of the United States Constitution. See *Torcaso v. Watkins*, 367 U.S. 488, 495 n. 11 (1961), and *United States v. Seeger*, 380 U.S. 163 (1965). In terms of actual controlling Supreme Court authority that is applicable to sexual orientation orthodoxy and gender identity ideology, the Defendants know or should know that the United States Supreme Court already found - prior to the erroneous decisions in *Obergefell*, *Windsor, Bostock*, *Roe*, and *Casey* - that secular humanism is a religion for the purposes of the First Amendment of the United States Constitution in *Torcaso v. Watkins*, 367 U.S. 488 (1961); *School District of A Bington Township, Pa. v. Schempp*, 374 U.S. 203 (1963); *United States v. Seeger,* 380 US 163 (1965); and *Welsh v. United States*, 398 U.S. 333 (1970); Furthermore, the Defendants know or should know that most of the federal courts of appeal have found that

activists, medical experts, religious experts, and persecuted Christians have testified under oath that convenience abortion beliefs and non-secular self-asserted sex-based identity narratives, such as homosexuality and transgenderism, sexual orientation, and gender identity are doctrines, orthodoxies, ideologies, and dogmas that are part of a worldview consisting of a series of unproven faith-based assumptions and naked assertions that are implicitly religious and inseparably linked to the religion of secular humanism.[149]

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secular humanism is a religion for purposes of the First Amendment in cases such as: *Malnak v. Yogi*, 592 F.2d 197 (3d Cir.1979); *Theriault v. Silber*, 547 F.2d 1279 (5th Cir.1977); *Thomas v. Review Bd.*, 450 U.S. 707 (1981); *Lindell v. McCallum*, 352 F.3d 1107 (7th Cir.2003); *Real Alternatives,Inc. v. Sec'y Dep't of Health & Human Servs.*,150 F. Supp. 3d 419, 2017 WL3324690 (3d Cir. Aug.4, 2017); and *Wells v. City and County of Denver*, 257 F.3d 1132 (10th Cir. 2001).

[149] See, Decl. Alliance of Black and White Ex-Gays and Ex-Trans. ¶ 7; Decl. Pastor Penkoski ¶¶ 1-34; Decl. Lisa Boucher ¶¶ 1-10; Decl. Christian Resistance ¶¶ 1-21;, Decl. Dr. Cretella ¶¶ 1-20; Decl. Dr. King ¶¶ 1-20; Decl. Pickup ¶¶ 1-12; Decl. Black ¶¶ 1 - 11; Decl. Mehl ¶¶ 1-20; Decl. Quinlan ¶¶ 1-41. The Defendants know or should know that the licentious LGBTQ cult and the pro-abortion death cult are centered on a "closed system" that is organized, full, and provides a comprehensive code by which individuals may guide their daily activities, making LGBTQ and convenience abortion secular humanism meet the legal definition of religion as defined by the judiciary in cases such as *United States v. Seeger*, 380 US 163 (1965); *Welsh v. United States*, 398 U.S. 333 (1970); *Real Alternatives, Inc. v. Sec'y Dep't of Health & Human Servs.*,150 F. Supp. 3d 419 (3d Cir. Aug. 4, 2017). The court in *Real Alternatives, Inc. v. Sec'y Dep't of Health & Human Servs.*, 150 F. Supp. 3d 419, 872 (3d Cir. Aug. 4, 2017), provided a legal definition of non-institutionalized religions when it stated: "we detect a difference in the 'philosophical views' espoused by [the plaintiffs], and the 'secular moral system[s]...equivalent to religion except for non-belief in God' that Judge Easterbrook describes in *Center for Inquiry,* 758 F.3d at 873. There, the Seventh Circuit references organized groups of people who subscribe to belief systems such as Atheism, Shintoism, Janism, Buddhism, and secular humanism, all of which 'are situated similarly to religions in everything except belief in a deity.' *Id.* at 872. These systems are organized, full, and provide a comprehensive code by which individuals may guide their daily activities." The licentious LGBTQ cult that the Equality Act endorses, respects, favors and promotes is "organized, full, and provide[s] a comprehensive code by which [self-identified homosexuals, self-identified transvestites, and other] individuals may guide their daily activities" and is inseparably linked to the religion of secular humanism. See https://secularhumanism.org/category/featured/rights-gays-and-otherwise/. The same exact thing can be said for the pro-abortion death cult. https://www.plannedparenthood.org/planned-parenthood-greater-washington-north-idaho/who-we-are/our-beliefs. Instead of having a cross, the Ten Commandments, or the star and crescent, the licentious LGBTQ cult has the rainbow-colored flag to symbolize its religious narrow and exclusive beliefs, practices, and values. Even though the secular humanists only insist that the licentious LGBTQ cult is a religion when it suits their jaded interests under the Free Exercise Clause to promote their dogma, the licentious LGBTQ cult is a religion for purposes of the Establishment Clause as well, which means that the government cannot promote, respect,

167. Fifth, countless medical experts and theologians that have demonstrated that the belief that convenience abortion is not murder or immoral or that life does not begin at conception is a paganistic belief that is inseparably linked to the religion of secular humanism.[150] The practice of sacrificing children in the womb on the altar of convenience is inherently religious in nature despite whether the Defendants can see it or not. To underscore the point

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endorse, or favor the licentious LGBTQ cult through direct or symbolic government action to include the creation, introduction, and threatened enforcement of the non-secular Equality Act, the Women's Health Protection Act, and the challenged Executive Orders, which otherwise gives the impression that secular humanism is the official and favored religion of the Nation.

[150] Here are some facts that show that the pro-abortion death cult is inseparably linked to the religion of secular humanism. The secular humanist manifesto II has asserted convenience abortion practice as a sacred sacrament in their licentious anti-theistic religion. https://americanhumanist.org/what-is-humanism/manifesto2/

There are four key unproven faith-based truth claims that make up the core doctrine of the pro-abortion death cult in order to normalize convenience abortion practices in America. These unproven truth claims expose the pro-abortion death cult as a denominational sect of the religion of secular humanism.

The first religious tenant of the pro-abortion death cult is that convenience abortion is "a medical issue, not a moral one," even though the first tenant taught in medical school is "do no harm" under the Hippocratic Oath. It takes a lot of faith to believe that this unproven truth claim is plausible when convenience abortion involves a violent procedure and the cruel dismemberment of a developing child, oftentimes that has a beating heart and recoils at an abortionist's attempts to kill him or her.

The second paramount religious principle advance by the pro-abortion death cult is that abortion alleviates social and racial inequality. It takes a lot of faith to believe that is true when the evidence shows that the pro-abortion death cult targets the most vulnerable populations and exploits them emotionally and financially. (See https://www.dailywire.com/videos/choosing-death-the-legacy-of-roe)

The third paramount religious principle advance by the pro-abortion death cult is that "legal abortion saves women's lives." This takes a huge amount of faith to believe that this is true when the number of deaths in legal abortions is about the same as in illegal abortions. Plus convenience abortion undeniably takes the potential life of the baby in the woman, approximately half of which are female. *Id.*

The fourth paramount religious principle advance by the pro-abortion death cult is that pro-life advocates just want to control women. That takes a lot of faith to believe when the pro-death community has always used women for its own exploitative purposes. Lila Rose at www.liveaction.org and Ryan Bomberger at https://www.theradiancefoundation.org/ make that case with convincing clarity. The Plaintiffs believe that women have the right to do what they want with their own body in general, but when it comes to convenience abortion, there is more likely than not another person's body involved and that changes things. Women should be able to do what they want with their bodies but not at the expense or at the death of another person's body that is temporarily in their womb because of choices they made. *Id.*

further that abortion and LGBTQ issues are a matter of religion, at oral argument in *Dobbs,* Justice Sotomayor implied that only a "small fringe of doctors" believed that life begins at conception and that such medical/scientific findings might not "fit the *Daubert* standard." [151] On the other side, Justice Alito, pushed back by raising the point that "there secular philosophers and bioethicists who take the position that the rights of personhood begin at conception or at some point other than viability," whose findings also meet the *Daubert* standard. [152] In *Dobbs,* Mississippi should have stipulated - as the Plaintiffs do here and now - that there are medical experts/scientists on both sides who have provided inconsistent findings that meet the *Daubert* standard. Some medical/scientists/experts have provided findings that life does not begin at conception, making convenience abortion practices non-murder, and others have provided findings that life does begin at conception, making convenience abortion practices murder. Mississippi should have made the argument - as the Plaintiffs do here and now - that Mississippi was not out to "prove" or "disprove" whether or not life begins at conception but rather that the matter is not officially proven and is, therefore, a matter of religion and that the policy decision created in *Roe* and *Casey* had to be overturned for violating the Establishment Clause because those decisions have had the effect of establishing America as a secular humanist theocracy from the top down and have unlawfully interfered with the States' and the people's traditional right expressly conferred under the Tenth Amendment to regulate licentious religious practices that attempt to justify practices that are inconsistent with the peace and safety of the state.[153]

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151 Appendix B page 18 Tr. of Oral Arg. Justice Sotomayor. See *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, 509 U.S. 579 (1993).

152 Appendix B page 32 Tr. of Oral Arg. Justice Alito.

153 While the licentious LGBTQ cult and the pro-abortion death cult have employed so-called medical experts and scientists who argue that there is a "gay gene" and that "a baby in the womb is not a person" in the same way that cigarette manufacturers once employed medical experts and scientists to assert that smoking cigarettes is good for a person's health, there are medical experts who argue that there is no such thing as a "gay gene" any more than there is a "rape gene" and that dismembering the body of a separate baby in the womb on the altar of

168. Sixth, the Plaintiffs are not out to prove or disprove whether or not there is a "gay gene," but they stipulate that it is a matter of religion that is unsettled and that licentious homosexual practices are inseparably linked to the religion of secular humanism, despite the fact that the life of Plaintiff Schwab and the lives of Plaintiffs Razzo and Sciba's clients demonstrates there is no "gay gene" beyond any serious question. [154]

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convenience is murder. See Decl. Dr. Cretella ¶¶ 1-20; Decl. Dr. King ¶¶ 1-20. Therefore, since the Plaintiffs stipulate that it is not officially proven one way or the other whether there is a "gay gene" or whether life begins at conception, this Court has subject matter jurisdiction to hear this action brought under the Establishment Clause of the First Amendment because the evidence shows that sexual orientation orthodoxy and gender identity ideology are religious concepts and because the evidence shows that convenience abortion practices are non-secular procedures, not medical ones. The Defendants self-serving attempts to coercively impose LGBTQ and convenience abortion dogma on the whole of the Nation through government action through a series of imperialistic power plays with the end goal of establishing that America is a secular humanist theocracy and that all non-observers of their favored religion are unwelcomed. See Decl. Alliance of Black and White Ex-Gays and Ex-Trans. ¶ 7; Decl. Pastor Penkoski ¶¶ 1-34; Decl. Lisa Boucher ¶¶ 1-10; Decl. Christian Resistance ¶¶ 1-21; Decl. Dr. Cretella ¶¶ 1-20; Decl. Dr. King ¶¶ 1-20; Decl. Black ¶¶ 1-11; Decl. Mehl ¶¶ 1-20.

If anything, the Defendants' unconstitutional drive to excessively entangle our government with the licentious religion of LGBTQ secular humanism and pro-abortion ideology tends to demonstrate why homosexuality and convenience abortion practices should have remained illegal for the same reason that polygamy remains illegal today. See *Reynolds v. United States*, 98 U.S. 145 (1879). LGBTQ practices and convenience abortion practices causes its citizens to become deranged, desensitized, depersonalized, dehumanized, delusional, and dangerous. Just consider the protests outside of the Supreme Court Justices' houses in the wake of the leaked *Dobb*'s decision. Even the leaking of the decision is evidence of derangement.

[154] The Defendants know or should know that the beliefs that a person "was born with a gay gene" or "was born in the wrong body" amounts to a series of unproven faith-based assumptions and naked assertions that are implicitly religious and cannot be used as the basis for law and policy in the creation and enforcement of non-secular policies, like the Equality Act and Executive Order 14075, because the Establishment Clause prohibits such beliefs from being legally favored, promoted, endorsed, respected, or codified by government. In this case, the Plaintiffs are not out to prove or disprove whether or not a "gay gene" exists, but rather, the Plaintiffs stipulate that it is not officially proven one way or another, and therefore, it is a matter of religious faith that is governed exclusively by the Establishment Clause balanced with the Free Exercise Clause of the First Amendment of the United States Constitution. Accordingly, by creating, introducing, and threatening to enact the Equality Act, the Defendants have violated the principles of the separation of church and state, while failing the endorsement test because the federal government is treating the gay gene debate as if it is settled in favor of the unproven truth claims grounded in the religion of secular humanism. Meanwhile, the testimonies of Plaintiff Schwab and other ex-gays prove the point that it is not settled in favor of the contention that a gay gene exists.

169. Seventh, the Plaintiffs are likely to succeed on the merits because the Defendants' efforts to promote, introduce, create, and threaten to enforce the Equality Act and the Women's Health Protection Act fail all three prongs of the *Lemon* test, the endorsement test, and the coercion test.[155]

While the licentious LGBTQ cult and the pro-abortion death cult have employed so-called medical experts and scientists who argue that there is a "gay gene" and that "a baby in the womb is not a person" in the same way that cigarette manufacturers once employed medical experts and scientists to assert that smoking cigarettes was good for a person's health, there are medical experts who argue that there is no such thing as a "gay gene" any more than there is a "rape gene" and that dismembering the body of a separate baby in the womb on the altar of convenience is murder. See Decl. Dr. Cretella ¶¶ 1-20; DDecl. Dr. King ¶¶ 1-20. The Plaintiffs stipulate that both sets of findings from these medical experts and scientists meet the *Daubert* standard, even though the Plaintiffs personally believe that the idea that there is a gay gene that warrants special civil rights is implausible and removed from reality.

Since the Plaintiffs stipulate that it is not officially proven one way or the other whether there is a "gay gene" or whether life begins at conception, this Court has subject matter jurisdiction to hear this action brought under the Establishment Clause of the First Amendment because the evidence shows that sexual orientation orthodoxy and gender identity ideology are religious concepts and because the evidence shows that convenience abortion practices are non-secular procedures, not medical ones. The Defendants are guilty of attempting to coercively impose LGBTQ and convenience abortion dogma on the whole of the Nation through government action by way of a series of imperialistic power plays with the end goal of establishing that America is a secular humanist theocracy and that all non-observers of their favored religion are unwelcomed. See Decl. Alliance of Black and White Ex-Gays and Ex-Trans. ¶ 7; Decl. Pastor Penkoski ¶¶ 1-34; Decl. Lisa Boucher ¶¶ 1-10; Decl. Christian Resistance ¶¶ 1-21; Decl. Dr. Cretella ¶¶ 1-20; Decl. Dr. King ¶¶ 1-20; Decl. Black ¶¶ 1-11; Decl. Mehl ¶¶ 1-20.

[155] To pass muster under the Establishment Clause, a practice must satisfy the *Lemon* test, pursuant to which it must: (1) have a valid secular purpose; (2) not have the effect of advancing, endorsing, or inhibiting religion; and (3) not foster excessive entanglement with religion. Id. at 592 (citing *Lemon v. Kurtzman*, 403 U.S. 602 (1971)). It is important to understand that government action "violates the Establishment Clause if it fails to satisfy any of these prongs." *Edwards v. Aguillard*, 482 U.S. 578, 583 (1987); *Agostini v. Felton*, 521 U.S. 203, 218 (1997). The evidence shows that Defendants' decision to merely introduce the Equality Act fails all three prongs of the *Lemon* Test. At the core of the "Establishment Clause is the requirement that a government justify in secular terms its purpose for engaging in activities which may appear to endorse the beliefs of a particular religion." *ACLU v. Rabun Cnty. Chamber of Commerce, Inc.*,698 F. 2d 1098, 1111 (11th Cir.1983). This secular purpose must be the "pre-eminent" and "primary" force driving the government's action, and "has to be genuine, not a sham, and not merely secondary to a religious objective." *McCreary Cnty, Ky. v. ACLU of Ky.*, 545 U.S. 844 (2005). Under this second prong of the *Lemon* test, courts ask, "irrespective of the . . . stated purpose, whether [the state action] . . has the primary effect of conveying a message that the [government] is advancing or inhibiting religion." *Indiana Civil Liberties Union v. O'Bannon,*

170. Eighth, the Plaintiffs are substantially likely to prevail on the merits because the evidence shows that the Defendants' attempted enactment and enforcement of the Equality Act and similar policies fails prong I of *Lemon.* The term "sex" as it refers to male and female is a neutral and secular term and can be included in government policies without violating the federal Constitution's Establishment Clause. However, the Equality Act attempts to enshrine sexual orientation orthodoxy and gender identity ideology over 75 times by changing the secular definition of the term "sex" in federal statutes, which would cause Titles II, III, IV, VI, VII, and IX to no longer have a primary secular purpose and, therefore, be unconstitutional under the Establishment Clause of the First Amendment. That is, the 75 attempts in the Equality Act to entangle Titles II, III, IV, VI, VII, and IX with sexual orientation orthodoxy and gender identity ideology violate the principles of the separation of church and state. This is the exact problem with the egregiously wrong *Bostock* decision where Justice Gorsuch and the other liberal Justices in the Majority failed to see that interpreting the term "sex" to respect sexual orientation orthodoxy and gender identity ideology in Title VII and other statutes causes those statutes to lose their primary secular purpose, invalidating them for purposes of enforcement under the Establishment Clause of the First Amendment for purposes of prong I of *Lemon.*[156] In the hierarchy of authority, the Establishment Clause trumps the federal statute Title VII if it loses its

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259 F.3d 766, 771 (7th Cir. 2001). The "effect prong asks whether, irrespective of government's actual purpose," *Wallace v. Jaffree,* 472 U.S. 38, 56 n.42 (1985), the "symbolic union of church and state...is sufficiently likely to be perceived by adherents of the controlling denominations as an endorsement, and by the nonadherents as a disapproval, of their individual religious choices." *School Dist. v. Ball*, 473 U.S. 373, 390 (1985); *see also Larkin v. Grendel's Den*, 459 U.S. 116, 126-27 (1982)(even the "mere appearance" of religious endorsement is prohibited). The Defendants creation, introduction, endorsement, and promotion of the Equality Act - alone - amounts to the cultivation of a "legal weapon that no [Christian or non-observer of Secular Humanism] can obtain." *City of Boerne v. Flores,* 521 U.S. 507, 537 (1997).

[156] To speak plainly, finding that the term "sex" means sexual orientation in Title VII serves to establish America as a secular humanist theocracy.

secular purpose by incorporating and respecting sexual orientation and gender identity ideology.

See Clause 2, Article VI of the United States Constitution. [157]

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[157] Prong I of the *Lemon* test challenges whether the stated goal of a government policy decision is being reached or whether an ulterior agenda is being advanced to promote one religion over other religions or to elevate a religion over non-religion. Because the legislative findings in the Equality Act assert that the stated goal is tolerance, equality, and unity and because the evidence shows that once implemented the policy will fail to achieve that goal and simply elevate one religious worldview over all others, the policy fails prong I of *Lemon.*

In the wake of the introduction of legislative policies, like the Equality Act and Executive Order 14075, or egregiously wrong judicial decisions, like *Obergefell*, there has not been a landrush on gay marriage, unity, or tolerance, instead, there has been a landrush on public elementary schools and public libraries by self-identified homosexuals, self-identified transvestites, and devout secular humanist activists, who feel entitled to infiltrate those public facilities for the sole purpose of targeting and indoctrinating minors with licentious LGBTQ doctrine at the taxpayer's expense with the government's stamp of approval. The MAPs movement (minor attracted person) and the sexual grooming of minors in public schools have grown traction and flow directly out of the *Obergefell* decision. https://www.lgbtmap.org/equality-maps/profile_state/KY

Furthermore, in the wake of the introduction of legislative policies, like the Equality Act, or the egregiously wrong judicial decisions, like *Obergefell* and *Bostock*, there has not been a landrush on gay marriage, unity, or tolerance, instead, there has been a landrush on the social marginalization and violent oppression of non-observers of the licentious religion of LGBTQ secular humanism - to include the oppression of the Plaintiffs. The goal of secular humanists is not "tolerance." It is "dominance." In an honest world, the Equality Act would be retitled to the "Inequality Act" because it is undeniably crafted to allow for discrimination against non-observers of the religion of secular humanism. It is this social marginalization and violent oppression by the introduction of policies, like the Equality Act, that has inflicted direct and concrete injury on the Plaintiffs and given them Article III standing to proceed here. If we have learned anything from the government's egregiously wrong decision to entangle itself with the licentious LGBTQ cult and the pro-abortion death cult, it is that people who are "intolerant" of "intolerant people" are "intolerant," that people who are "judgmental" against "judgmental people" are "judgmental," and that people who are "dogmatic" about not being "dogmatic" are themselves the most "dogmatic" of all. See the Defendants or just consider the protesters outside of the Supreme Court Justices' homes. Any lingering question about whether the secular humanist church is hell-bent to dominate and use the government to establish America as a secular humanist theocracy through any means necessary has been resolved by the illegal protests in the private neighborhoods of five Supreme Court Justices that Defendant Biden's Department of Justice refuses to shut down as required by 18 U.S. Code § 1507. Just imagine if one or all of the five Justices who are the target of the protests are murdered because of Defendant Biden's non-responsiveness and what the fallout would be. Would President Biden be permitted to appoint five new Justices? People who are willing to kill babies in the womb are tend to be capable of doing anything to get their way.

172. Ninth, the Plaintiffs are substantially likely to win on the merits because the evidence shows that the Defendants' attempts to enact the Women's Health Protection Act and related Executive Orders fail prong I of *Lemon*.[158] Tenth, the Plaintiffs are substantially likely to

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[158] The evidence shows that the Women's Health Protection Act and the promised related Executive Order fails prong I of Lemon because it lacks a primary secular purpose. The primary purpose of this act is to force all 50 states to do away with any semblance of a restriction on convenience abortion, a practice that the citizens of a majority of the states find to be morally repugnant and more akin to the murder of a defenseless child than a mundane removal of a cluster of cells as the Defendants and the pro-abortion death cult believe for self-serving reasons.

Section (3) subsection (a) paragraph (8) of the Women's Health Protection Act of 2022 does away with any policy that amounts to "[a] prohibition on abortion at any point or points in time prior to fetal viability, including a prohibition or restriction on a particular abortion procedure." Section (3) subsection (b) paragraph (1) subparagraph (B) of the Women's Health Protection Act of 2022 does away with any policy that even potentially threatens to "impedes access to abortion services."

The Defendants are not ok with allowing the Democratic process to play out in each state, permitting the citizens of each state to decide whether to restrict or prohibit a religious practice that unequivocally promotes licentiousness because the Defendants hate our Constitution and despise Christians, and have no sincere desire to uphold the Constitution as they are required to pursuant to their oath of office under Clause 3 of Article VI of the United States Constitution. The Defendants' conduct is not motivated by goodwill but out of the overflow of a moral superiority complex that is supremely irrational and objectively dangerous.

The attempts of Supreme Court justices, like Chief Justice Roberts and Justice Breyer, to treat the egregiously wrong decisions in *Roe* and *Casey* as "super precedent" is itself a form of proof that those decisions themselves, like the Women's Health Protection Act and related retaliation Executive Order, are non-secular shams that lack a primary secular purpose. When government actors make things up to justify the continued entanglement of our government with one religion, it tends to expose itself as a sham for purposes of prong I of *Lemon*.

Government action is a sham for purposes of prong I of Lemon if it fails to accomplish its alleged intended purpose. So, what is the purpose of the Women's Health Protection Act of 2022 and the related retaliation Executive Order as asserted by the Defendants? Is it to protect the bodily autonomy of a person? But which person - the person recoiling in the womb and kicking back to desperately avoid death at the hands of the abortionist who is attempting to kill him or her? The Defendants cannot prove that the baby in the womb that the bill enables to kill is not an actual person. So the Women's Health Protection Act is just an effort by the Defendants to excessively entangle our government with their favored religion of secular humanism to further reinforce to themselves and other secular humanists the implausible, irrational, and impeached contention that man is god and that natural law is not real.

Or perhaps, the primary purpose of the Women's Health Protection Act is to protect "the constitutional right to terminate a pregnancy" as stated directly in Section 6 subsection (b) of the officially introduced bill itself. But which part of the Constitution is the act referring to because convenience abortion is not discussed in the Constitution, as the Supreme Court in the leak *Dobbs* Court acknowledged?

win on the merits because the evidence shows that the Defendants' endorsement of the Equality Act and Executive Order 14075 fails prong II of *Lemon.*[159] Eleventh, the Plaintiffs are substantially likely to win on the merits because the evidence shows that the Defendants' constitutional and political malpractice surrounding the Women's Health Protection Act and soon-to-be-enacted related Executive Order violates Prong II of *Lemon.*[160] Twelfth, the Plaintiffs

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[159] The Equality Act unmistakenly violates prong II of the *Lemon* Test, as it unapologetically attempts to tie the Plaintiffs' hands and the hands of all non-observers of licentious LGBTQ secular humanism by leaving them defenseless and forced to convert to and support the dangerous and destructive religious worldview that the Defendants favor in step with the Defendants' refusal to think logically. Section 1107 of the Equality Act states:"The Religious Freedom Restoration Act of 1993 (42 U.S.C. 2000bb et seq.) shall not provide a claim concerning, or a defense to a claim under, a covered title, or provide a basis for challenging the application or enforcement of a covered title." By expressly not allowing the Plaintiffs or any other non-observer of licentious LGBTQ secular humanism to invoke the Religious Freedom Restoration Act (RFRA), the Equality Act creates an indefensible "legal weapon that no [Christian] can obtain" and will force the Plaintiffs and other Christians to violate their right of conscience. See *Flores,* 521 U.S. 507 at 537. From the provision of the Equality Act that nullifies RFRA, it is obvious that the Defendants do not understand that the underlying legal basis for RFRA is the Free Exercise Clause of the First Amendment of the United States Constitution. This means that even if the Equality Act were enacted and even if it did manage to nullify the RFRA shield, the Equality Act still fails because it cannot repeal the Free Exercise Clause of the First Amendment of the United States Constitution. See Article VI, Clause 2 of the United States Constitution. The Free Exercise Clause and Establishment Clause synergistically preempt the Equality Act in its entirety when combined with American tradition and heritage in the same way that they invalidate the egregiously wrong decisions in *Roe* and *Casey*. (See Article VI of the United States Constitution). This is something that the Defendants just do not seem to understand, and it is why they are terrible lawmakers who have no business being in office. It is more important than ever that this Court serves as the necessary check on the Defendants, who are willing to take unprecedented brazen steps to excessively entangle our government with a narrow and exclusive religious worldview by removing protections from the millions of Americans who have the common sense, decency, grace, and wisdom to see LGBTQ ideology for what it always has been and always will be - a doctrine that attempts to justify deeply immoral sexual conduct that is depersonalizing, dehumanizing, deranged, damaging, desensitizing, destructive, and dangerous in the same ways that polygamy, pornography, prostitution, and child sex abuse are.

[160] Prong II of *Lemon* raises the question "will people believe that the government endorses or approves one religious worldview over another?" The evidence shows that (1) objections to convenience abortion practices are based on Christian religion, that (2) approval of convenience abortions practices are based on the secular humanist religion, and that (3) by forcing all 50 states to allow convenience abortion up until the time of birth through the Women's Health Protection Act of 2022 amounts to a demonstration from the reasonable observer perspective that the Nation favors one religious belief system over another. The Defendants' endorsement and

are substantially likely to win on the merits because the evidence shows that the Defendants promoting of the Equality Act and enforcement of Executive Order 14075 fails prong III of *Lemon*.[161] Thirteenth, the evidence shows that the Plaintiffs are substantially likely to win

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promotion of the Women's Health Protection Act fails prong II of *Lemon* because it is an excessive endorsement of secular humanism and an excessive disapproval of Christianity from the reasonable observer's perspective. This is in-part why passions run high. In simple terms, because the Women's Health Protection Act attempts to settle the faith-based assumption that "life does not begin at conception," it constitutes an excessive endorsement of the religion secular humanism, causing the statute to fail both the endorsement test created in *Lynch v. Donnelly*, 465 US 668 (1984) and prong II of *Lemon* - which are basically the same thing.

Just as the Equality Act wrongfully stops Christians, like the Plaintiffs, from using RFRA, the Women's Health Protection Act of 2022 does the exact same thing in direct violation of the Free Exercise Clause of the First Amendment of the United States Constitution. Section (4) subsection (a) paragraph (1) of the Women's Health Protection Act states: "[T]his Act supersedes and applies to the law of the Federal Government and each State government, and the implementation of such law, whether statutory, common law, or otherwise, and whether adopted before or after the date of enactment of this Act, and neither the Federal Government nor any State government shall administer, implement, or enforce any law, rule, regulation, standard, or other provision having the force and effect of law that conflicts with any provision of this Act, notwithstanding any other provision of Federal law, including the Religious Freedom Restoration Act of 1993 (42 U.S.C. 19 2000bb et seq.).

Besides tying the hands of Christians from using RFRA just as the Equality Act does, section (4) subsection (a) paragraph (1) of the Women's Health Protection Act demonstrates that while the Defendants are correct in that the proposed federal statute would preempt conflicting state law, the Defendants fail to understand that the Women's Health Protection Act, a federal statute, is preempted by the text of the United States Constitution itself, under the Establishment Clause of the First Amendment and the under the Tenth Amendment. On balance, while federal law preempts state law when they conflict under Article VI, paragraph 2, the Constitution amendments themselves preempt federal statutes, like the Equality Act and Women's Health Protection Act, or federal judicial opinions, like in *Roe, Windsor, Obergefell, Casey, and Bostock*, when they conflict.

[161] The surreptitious method by which the Equality Act attempts to enshrine sexual orientation and gender identity ideology over 75 times in Titles II, III, IV, VI, VII, and IX in a manner that would coercively impose LGBTQ dogma on all aspects of public life causes the act and the Defendants' conduct to violate prong III of *Lemon* and constitutes the greatest attempt to excessively entangle the government with the dogma of a non-institutionalized religion, since the inception of American jurisprudence.

The Equality Act and Executive Order 14075 constitutes an excessive entanglement of government with religion because it would allow government actors to take a wrecking ball to Christians who believe that (1) homosexual conduct is supremely immoral and that (2) to support homosexual practices is itself an act of incredible cruelty and monumental immorality. See Romans 1:21-32, 1 Corinthians 6:9-11, Leviticus 18:22, Leviticus 20:13, Jude 7, Genesis 19:1-11. It is never an act of love to encourage another human being to engage in immoral

conduct that is subversive to human flourishing, and to even pretend otherwise is incredibly evil and hateful.

Here is a more specific example of how the Defendants' conduct in relationship to the Equality Act and Executive Order 14075 itself violates prong III of *Lemon* in a manner that inflicts direct injury on the Plaintiffs: the Plaintiffs are all part of businesses that provide the service of "pastoral care", a term that the Defendants maliciously describe in the Equality Act as "conversion therapy." The Plaintiffs provide these services to help individuals who want to escape the licentious LGBTQ cult to do so, as Plaintiffs Schwab and multitudes of others once did by God's grace. The Plaintiffs also help individuals heal from the trauma that naturally flows from having bought into the cult's destructive practices and warped truth claims. Meanwhile, it is self-evident that through the Equality Act and similar measures, the Defendants have set out to enslave the public's consciousness in the lie "once gay always gay" in step with the Democrat party's resolute commitment to remaining the party of slavery. To that point, legislative finding (6) of the Equality Act states: "The discredited practice known as "conversion therapy" is a form of discrimination that harms LGBTQ people by undermining individuals' sense of self-worth, increasing suicide ideation and substance abuse, exacerbating family conflict, and contributing to second-class status."

The prime sponsors of the Equality Act and their co-sponsors imperialistically float the naked assertion that "conversion therapy" is "discredited" and "discrimina[tory]" but they fail to explain how or what evidence they are relying on in making those kinds of faith-based findings. They imply that this is the case simply because "they say so" which is just more evidence of their dangerous moral superiority complex revealing itself. The fact of the matter is that Plaintiff Schwab and the clients of Plaintiffs Razzo and Sciba along with thousands of other medical and religious experts have already and can demonstrate now that attempting to classify pastoral care or "conversion therapy" as "discredited" is the only thing that is actually "discredited." The evidence shows that attempts to discredit pastoral care or conversion therapy are nothing more than attempts at discrimination by Democrats, against non-observers of the religion of secular humanism. The "Equality Act" should be renamed the "Inequality Act," but more importantly, the act should be tabled in perpetuity by injunction for failing prong III of the *Lemon* Test and, therefore, violating the Establishment Clause because to ban pastoral care/conversion therapy directly injures the Plaintiffs ability to earn a living and to serve their communities in a manner that constitutes the ultimate excessive entanglement with religion.

Furthermore, undermined "sense of self worth, increas[ed] suicide ideation, and substance abuse, exacerbat[ed] family conflict" is the result of buying into the destructive truth claims of the licentious LGBTQ cult in the first place and not the result of wanting to escape from it. See Appendix C.. It is best for all Americans to not allow themselves to be seduced in buying into the LGBTQ cults dogma to begin with, since the Defendants imply that doing so undermines "sense of self worth, increas[es] suicide ideation, and substance abuse, exacerbat[es] family conflict." In their businesses, the Plaintiffs have set out to increase self worth, prevent suicide ideation, reduce substance abuse, and resolve family conflict by impeaching the LGBTQ cult's ideology. Plaintiffs Schwab simply want to help those, who like himself was once duped by the licentious LGBTQ cult, heal from the damage that the cult naturally inflicts on its members.

This litigation demonstrates that not only is the Equality Act constitutionally unsound, so are all of the conversion therapy bans that have been enacted in some of the blue states in the wake of egregiously wrong judicial decisions in cases like *Obergefell* and *Bostock*.

because the Defendants' conduct surrounding the Women's Health Protection Act and related Executive Order fails prong III of *Lemon.*[162]

173. Fourteenth, the Plaintiffs are substantially likely to win because the Equality Act, Women's Health Protection Act, and related Executive Orders are based purely on a stream of emotional appeals that are designed to usurp the Establishment Clause, and it is a long-standing jurisprudence that emotional appeals - even really good ones - cannot be used to usurp the Establishment Clause.[163]

This Court has personal jurisdiction and subject matter jurisdiction to hear the Plaintiffs' claims brought under prong III of *Lemon* pursuant to the Establishment Clause because the mere threat that pastoral care and conversion therapy could be banned at the federal level is harming their businesses currently, while also creating the apprehension that America is a secular humanist theocracy that the Plaintiffs are required to support by paying taxes. The Plaintiffs should not be expected to wait around to be damaged further when the Equality Act and Executive Order 14075 should not have been introduced in the first place.

[162] A federal law handed down by either the federal courts, the federal executive, or the federal Congress that prohibits the states from restricting and regulating the licentious religious practice of convenience abortion or LGBTQ practices constitutes an excessive entanglement with the religion of secular humanism for purposes of prong III of *Lemon* in that it robs the States in conjunction with the people, which includes the Plaintiffs, of their fundamental right to regulate such lewd religious practices pursuant to the Tenth Amendment of the United States Constitution that erode community standards of decency and harms children. That is, the decisions in *Roe, Casey, Obergefell, Windsor,* and *Bostock* and the Equality Act and Women's Health Protection Act constitute an excessive entanglement because they serve to erase the Tenth Amendment and Establishment Clause of the First Amendment in order to establish America as a secular humanist theocracy. It is the federal government's way of telling the members of other religions that they are wrong and unwelcomed.

[163] The Defendants know that the Equality Act, the Women's Health Protection Act of 2022, and related Executive Orders are predicated on nothing more than a stream of shallow emotional appeals that constitute a series of unproven faith-based assumptions and are not based on anything in the actual text of the Constitution. The Defendants know or should know that federal courts, in cases like *Holloman v. Harland,* 370 F.3 1252 (11th Cir. 2004), have established that neither emotional appeals nor sincerity of belief can be used to usurp the Establishment Clause of the First Amendment in an excessive way, and, therefore, all policies that respect and promote non-secular self-asserted sex-based identity narratives and sexual orientation orthodoxy, to include the Equality Act, and all policies that prohibit the states from restricting the controversial religious practice of convenience abortion, like the Women's Health Protection Act, are based solely on a bundle of emotional appeals at the expense of this sound judicial principle.

The Supreme Court has recognized "that public debate of religious ideas, like any other, may arouse emotion, may incite, may foment religious divisiveness and strife." See *Terminiello v. Chicago*, 337 U.S. 1, 4-5, 69 S.Ct. 894, 895-896, 93 L.Ed. 1131 (1949). *McDaniel v. Paty,* 435

174. Fifteenth, the Plaintiffs are substantially likely to win on the merits because they have standing for concrete injuries and because they have a special form of standing that is more or less only found in Establishment Clause cases - taxpayer standing. Sixteenth, the Plaintiffs are likely to win because this case is especially ripe because the Defendants are only one or two steps away from enacting the Women's Health Protection Act, the Equality Act, and other substantially similar measures and because they are scheming with their lackeys in the liberal media to nuke the filibuster to shore up their enactment. The Defendants want to upend procedural norms to enact the Women's Health Protection Act and the Equality Act, even though both measures will be just as much in violation of the Establishment Clause and the Tenth Amendment at that time, as they are now. It is important that this Court allow the Plaintiffs to put a stop to that for everyone's sake - to include the Defendants.

B. IRREPARABLE HARM:

175. Due to the Defendants' decision to draft, introduce, promote, favor, endorse, and threat to enact the Equality Act and the Women's Health Protection Act of 2022 and comparable Executive Orders, the Plaintiffs have and will suffer and will continue to suffer irreparable harm to their First Amendment constitutional rights as citizens who are being coerced into bowing down before the altar of secular humanism in a manner that causes them to (1) violate their conscience, (2) chill their speech, and (3) neglect the dire needs of individuals whom they provide pastoral and therapeutic services for.[164] The Plaintiffs' injuries will continue and be

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U.S. 618, 640, 98 S. Ct. 1322, 1335, 55 L. Ed. 2d 593 (1978). However, that does not mean that the government can simply enshrine the doctrines of licentious secular humanism so that truth allergic secular humanists, like the Defendants, can feel and act superior to everyone who has the humility and common sense to believe the obvious unchanging reality that LGBTQ and convenience abortion dogma and practices are vile, implausible, and evil from the perspective of the reasonable observer.

[164] See Decl. Alliance of Black and White Ex-Gays and Ex-Trans. ¶ 7; Decl. Pickup ¶¶ 1-12; Decl. Black ¶¶ 1 - 10; Decl. Mehl ¶¶ 1-20; Decl. Quinlan ¶¶ 1-41.

repeated each day the endorsement, promotion, and the threatened enactment hang over their heads. "The loss of First Amendment freedoms, for even minimal periods of time, unquestionably constitutes irreparable injury." *Elrod v. Burns*, 427 U.S. 347, 373 (1976); see also, e.g., *Pacific Frontier v. Pleasant Grove City*, 414 F.3d 1221, 1235-36 (10th Cir. 2005) (noting presumption of irreparable harm where First Amendment rights are implicated). [165]

176. The States have broad authority to enact legislation for the public good—what [the Supreme Court] ha[s] often called a "police power." *Lopez*, 514 U. S. 549 at 567. The Federal Government, by contrast, has no such authority and "can exercise only the powers granted to it," *McCulloch v. Maryland*, 4 Wheat. 316, 405 (1819). The Plaintiffs are not elected state representatives; yet, they are part of the "the people" for purposes of the Tenth Amendment. [166] In *Bond v. United States*, 564 U.S. 211 (2011), the Supreme Court held that individuals, just like States, may have standing to raise Tenth Amendment challenges to federal law that was made in a manner that wrongfully took power away from them or the States and was put forward without the authority given to Congress by the Constitution. The Defendants' conduct surrounding the

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[165] This applies to Establishment Clause cases where harm should be presumed. *Ingebretsen v. Jaekson Public School Distric*t, 88 F.3d 274 (5th Cir. 1996). The court in *American Civil Liberties Union Foundation of Louisiana v. Crawford*, 2002 WL 461649 (E.D. La. 2002), the First Amendment presumption of irreparable harm encompasses the Establishment Clause claims. See *New Orleans Secular Humanist Ass'n, Inc. v. Bridges*, No. CIV.A. 04-3165, 2006 WL 1005008, at *5 (E.D. La. Apr. 17, 2006)(Irreparable harm is presumed Establishment Clause cases). "A plaintiff suffers irreparable injury when the court would be unable to grant an effective monetary remedy after a full trial because such damages would be inadequate or difficult to ascertain." *Dominion Video Satellite, Inc. v. EchoStar Satellite Corp.*, 269 F.3d 1149, 1156 (10th Cir. 2001). Furthermore, "[w]hen an alleged constitutional right is involved, most courts hold that no further showing of irreparable injury is necessary." *Kikumura v. Hurley*, 242 F.3d 950, 963 (10th Cir. 2001).

[166] Some of the Plaintiffs do officially stand in for state representatives from time to time. State law allows for substitution and for the Plaintiffs to stand in for members at committee hearings and to work with the offices of legal counsel with the express approval of the state representatives. So the Plaintiffs are not just passive citizens but are officially involved with a majority of the states in making policy that reflects what the state Constitutions and the Federal Constitution require to protect local communities harm.

Equality Act and the Women's Health Protection Act serve to prevent the Plaintiffs from fully enacting the "Keep Roe Reversed Forever Act," the "School Establishment Clause Act (SECA)," the "Establishment Clause Act," and the "Reverse *Obergefell* Act" in violation of the powers conferred by the Tenth Amendment onto the Plaintiffs to constitute a concrete injury. The Plaintiffs are moving their bills along the process at the same time that the Defendants are wrongfully advancing theirs, making this action ripe for adjudication because the Defendants are intruding on the legislative prerogatives of the people through unconstitutional means. This is especially true now that Defendant Biden has enacted Executive Order 14075, which effectively enacts the Equality Act.

C. NO ADEQUATE LEGAL REMEDY

177. The Plaintiffs have no adequate remedy at law because legal relief cannot remedy the denial of the Plaintiffs' fundamental rights that are guaranteed by the Bill of Rights. Unless an injunction is issued by order of this Court, the Plaintiffs' constitutional rights will continue to be violated - under the Free Exercise Clause, Free Speech Clause, the Establishment Clause, and the Tenth Amendment. [167]

D. BALANCE OF HARM

178. The balance of harm as to irreparable injury to the Plaintiffs in comparison to the "harm" to the Defendants weighs in the Plaintiffs' favor. The threatened injury to the Plaintiffs

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[167] Absent injunctive relief, the Plaintiffs and others will continue to suffer irreparable harm as the plaintiffs in the following cases would have in the absence of an injunction: *Florida Businessmen for Free Enterprise v, City of Hollywood*, 648 F.2d 956, 958 (5th Cir. Unit B Jun. 1981); *Let's Help Florida v. McCrarv*, 621 F.2d 195, 199 (50 Cir. 1980); *Deerfield Medical Center v. City of Deerfield Beach*, 661 F.2d 328, 338 (5th Cir. Unit B 1981); and *CS E v. Bryant I*, 64 F. Supp. 3d 906, 950 (S.D. Miss. 2015). Even though Women's Health Protection Act may have failed by a slim majority vote in the Senate at least once, it can always be brought back or a new substantially similar law introduced. The Plaintiffs should not be expected to sit idly by while the Defendants persistently advance a religious agenda that is prohibited by the Establishment Clause of the First Amendment of the United States Constitution and as they scheme and scam to nuke procedural norms that safeguard our Democracy, like the filibuster that the Defendants have in their crosshairs.

in this matter far outweighs the threatened injury to the Defendants because constitutional rights are at stake. The health of our Constitutional Republic is at stake in view of the protests outside the houses of Supreme Court Justices that the Defendants are indifferent to. When a law that government actors or voters wish to enact is likely unconstitutional, their interests do not outweigh those of a plaintiff in having his constitutional rights protected. *Awad v. Ziriax*, 670 F.3d 1111, 1132 (10th Cir. 2012) citing *Coal. for Econ. Equity v. Wilson*, 122 F.3d 692, 699 (9th Cir. 1997).[168] The Defendants and their constituents will not be harmed by the issuance of an injunction, they will just be on equal footing with Christians. America will not officially be established as a secular humanist theocracy or as a Christian Nation, although it is true that the laws of this Country can parallel Christian principles by default without mandating belief in Christianity. See Genesis 1:27, the Fourteenth Amendment, and Paragraph 2 of the Declaration of Independence.[169] The United States cannot officially endorse Christianity or mandate belief in

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[168] Enjoining the Defendants from moving forward on the Equality Act and Women's Health Protection Act or substantially similar legislation may inconvenience the Defendants, but it will actually protect the Plaintiffs and other Americans from material harm, discrimination, financial loss, and violence in the long run. What we have seen with the *Dobbs* court reversing *Roe* and *Casey* in the leaked opinion is that when the government entangles itself with one religion unconstitutionally, only to then disentangle itself with that religion as the Constitution required from the start, the observers of the once favor religion become violent because the entanglement made them feel entitled and feel that their religious beliefs were superior to all others. This is why there are illegal protests outside of five of the Supreme Court Justices' homes with no response from Defendant Biden's Department Of Justice. This is why a devout secular humanist who clerks at the Supreme Court leaked the *Dobbs* decision. This is why on May 10, 2022, Lori Lightfoot the radical Democrat Mayor of Chicago, issued a call to arms to the LGBTQ cult in the wake of the *Dodd*'s decision, encouraging the deranged cult that she is a part of to inflict violence on people like the Plaintiffs. The passage of time is not going to make these things better because it is self-evidence that LGBTQ practices and convenience abortion practices are intrinsically immoral and violate the same natural law that serves as the cornerstone of the US Constitution itself, only restoring the rule of law will save us from irreconcilable division and violent civil war. The Plaintiffs are giving this Court the opportunity to restore sanity.

[169] The second paragraph of the United States Declaration of Independence starts as follows: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the Pursuit of Happiness.

Christianity for the same reasons that it cannot endorse secular humanism or the belief in the religion of secular humanism. A key difference is that Christianity can survive on its own without the government's endorsement, whereas secular humanism tends to implode under the weight of its own absurdity without the government's stamp of approval. But that is not a governmental problem.

E. PUBLIC INTEREST.

179. There are at least eight reasons why it is in the best interest of the public for this Court to side with the Plaintiffs and issue the injunction. First, it is in the best interest of the public for the government to protect real civil rights that are expressly part of the Bill of Rights, not pretend ones that are not in the Constitution. Second, the public would benefit because an injunction could put a stop to the ongoing cultural civil war and prevent violent civil war. Third, restoring the integrity of the judiciary and the supremacy of the Constitution in a manner that does not offend Stare Decisis is in the best interest of the public. Fourth, issuing an injunction favors the public because it will serve to uphold community standards of decency that the licentious LGBTQ cult and the abortion death cult threaten in the eyes of all reasonable observers of ordinary prudence. Fifth, it is in the public interest that this Court issue the injunction in a manner that restores the integrity of the race-base civil rights movement that the Democrat party has weakened through the fraudulent misuse of the Fourteenth Amendment. Six, in ruling in favor of the Plaintiffs' injunctive relief request, it will protect five Justices on the Supreme Court from the liberal secular humanist mob enabled and encouraged by the Defendants once the official *Dobbs* decision is released. An injunction will also protect those, who like the Plaintiffs, are likely planned targets of violence once the official *Dobbs* decision is

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Genesis 1:27, "So God created mankind in his own image, in the image of God he created them; male and female he created them."

published. Seven, it is in the public's best interest to keep pandora's box closed and avoid a devastating and escalating slippery slope problem. Eighth, the government's entanglement with the licentious LGBTQ cult is weakening America from within and emboldening America's enemies overseas, who can see this plainly. In the Military, the government's endorsement of LGBTQ orthodoxy is disruptive towards good order and discipline and has created a nightmare for command under Clause II of the Uniform Code of Military Justice (UCMJ).

180. **It Is In The Public's Best Interest For The Government To Protect Real Civil Rights, Not Pretend Ones:**

The government's excessive endorsement of secular humanism through the creation, introduction, endorsement, and promotion of the Equality Act, Executive Order 14075, and Women's Health Protection Act have injured millions of Americans by trampling on their civil rights afforded under the First Amendment of the United States Constitution.[170] Citizens of this country have the fundamental right to live in a Constitutional Republic, not a secular humanist theocracy or atheistic-nightmare fever dream as desired by the Defendants. "[I]t is always in the public interest to prevent the violation of a party's constitutional rights." *Awad v. Ziriax*, 670 F.3d at 1132 quoting *G & V Lounge, Inc. v. Mich. Liquor Control Comm'n*, 23 F.3d 1071, 1079 (6th Cir. 1994). ("While the public has an interest in the will of the voters being carried out . . . the public has a more profound and long-term interest in upholding an individual's constitutional rights." Id.; see also *Cate v. Oldham*, 707 F.2d 1176, 1190 (10th Cir. 1983) (noting "[t]he strong public interest in protecting First Amendment values"). The public would benefit if the Equality Act and the Women's Health Protection Act were permanently tabled for being the non-secular

[170] Plaintiffs Sevier served in the United States Military, and he and multitudes of other Soldiers would gladly fight to defend our Constitutional Republic in an overseas theater of war, but they would never serve in war to defend this Nation if it was coerced into becoming a secular humanist theocracy. The evidence shows that most of the members of the United States Military and most comat veterans share that exact same view. To maintain good order and discipline in the United States Military, the Plaintiffs are imploring this Court to side with them.

shams that have the effect of establishing America as a secular humanist theocracy. The Plaintiffs have the fundamental right under the First Amendment to work with their state legislatures to ban, prohibit, or restrict religious practices that promote licentiousness and conduct that attempts to justify practices that are inconsistent with the peace and safety of their communities.

181. **Ending The Cultural Civil War And Avoiding Constitutional Collapse And Violent Civil War Is In The Public's Best Interest:**

There is no question that America is in the midst of a heated cultural civil war that the Defendants exploit and encourage for self-serving reasons in step with their guiding philosophy that the ends justify the means. While the mere creation, endorsement, and introduction of the Equality Act and the Women's Health Protection Act by the Defendants exacerbates the cultural civil war as an instrument of political opportunism and oppression, their enactment and inevitable dissolution could easily cause the culture war to dissolve into violent civil war. Just consider the protests outside of the Supreme Court justices' houses in the wake of the leaked decision in *Dobbs* and the Defendants' refusal to put a stop to it as 18 U.S. Code § 1507 requires them to do. There are millions of Americans who have been brainwashed themselves with licentious LGBTQ and Planned Parenthood dogma with the government's unlawful stamp of approval, and there are millions of Americans who are resolved to adamantly oppose LGBTQ and convenience abortion practices and ideology through lawful means no matter what the government decides and no matter the costs. [171] This deepening divide by Democrats to make

[171] The evidence is overwhelming that for devout secular humanists who serve in the judicial, legislative, and executive branches to continue monkeying with the Fourteenth Amendment is an internal threat to national security interests. It is the precise kind of governmental malpractice that caused Justice Scalia to assert, "I call attention to this Court's threat to American Democracy" and for Justice Roberts to declare "Just who do we think we are" in their blistering dissents in *Obergefell*. Justice Thomas, Alito, Scalia, and Roberts correctly characterized the efforts of secular humanist activists in office to entangle the government with the licentious LGBTQ cult as an "egotistical....judicial putsch." To restore the rule of law, the supremacy of the constutition, and community standards of decency, it is time that the government finally

America a secular humanist theocracy is not going to end well because it breeds entitlement syndrome predicated on the invention of rights that the Constitution never guaranteed. The introduction and threatened enactment of the Equality Act and the Women's Health Protection Act of 2022, and similar legislation, deepens the divide and pours gasoline on the inflamed conflict. The Democrats feed off of chaos. They are always perpetuating crises to seize power at expense of their Clause 3 Article VI oath of office. It is a practice that is harming the public that the Article III branch is best positioned to put an end to through lawsuits like this one.

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come clean and admit that "homosexuality" is a matter of religion that is governed exclusively by the religious clauses of the First Amendment and is not a matter that relates to immunitability under the Equal Protection Clause or American tradition or heritage under the Substantive Due process clause of the Fourteenth Amendment. The Defendants twist the Fourteenth Amendment as the legal basis for the Equality Act and the Women's Health Protection Act in ways that it was never intended to be used. Legislative findings nine and ten of the Equality Act state: "(9) Federal courts have widely recognized that, in enacting the Civil Rights Act of 1964, Congress validly invoked its powers under the Fourteenth Amendment to provide a full range of remedies in response to persistent, widespread, and pervasive discrimination by both private and government actors. (10) Discrimination by State and local governments on the basis of sexual orientation or gender identity in employment, housing, and public accommodations, and in programs and activities receiving Federal financial assistance, violates the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. In many circumstances, such discrimination also violates other constitutional rights such as those of liberty and privacy under the due process clause of the Fourteenth Amendment." In reality, the Fourteenth Amendment only applies to a situation if the matter involves immutability and genetics (under the equal protection clause and the substantive due process clause only applies if the matter was something that relates to American tradition and heritage. Yet, sexual orientation orthodoxy and gender identity ideology have absolutely nothing to do with immutability and genetics in view of the testimony of ex-gays like Plaintiff Schwab and the clients of Plaintiffs Scibe and Razzo. See Decl. Pickup ¶¶ 1-18; Decl. Black ¶¶ 1 - 10; Decl. Mehl ¶¶ 1-10; Decl. Quinlan ¶¶ 1-41. And the history of homosexuality since the founding is that it erodes community standards of decency by promoting licentiousness and that it attempts to justify practices that are inconsistent with the peace and safety of the public in the same way that polygamy, pedifilia, child sex abuse and beastiality do. The history of homosexuality is that it was basically illegal until the United States Supreme Court in *Lawrence v. Texas*, 539 U.S. 558, 578 (2003) overruled *Bowers v. Hardwick*, 478 U.S. 186 (1986) in an action where the court lacked subject matter jurisdiction because the Fourteenth Amendment does not apply to LGBTQ matters.

182. **Restoring The Integrity Of The Judiciary And The Supremacy Of The Constitution In A Manner That Does Not Violate Stare Decisis Principles Is In The Best Interest Of The Public:**

Granting the Plaintiffs' request for a preliminary and permanent injunction in this case balances in favor of the Plaintiffs in the public's interest because doing so will restore the integrity of the Judicial branch and the Supremacy of the United States Constitution, which the Defendants persistently threaten due to their refusal to admit that they are advocating the entanglement of our government with a dangerous religious worldview that defies common sense and erodes decency. If the Equality Act and the Women's Health Protection Act in their making, promotion, endorsement, and threatened enactment, violates the Establishment Clause of the First Amendment - and they do - this implies that the decisions in *Obergefell*, *Windsor*, *Bostock*, *Roe*, and *Casey* are completely invalid when it comes to precedent. This case presents an opportunity for the Article III branch to come clean and to admit that the prior decisions were erroneous and decided under the wrong constitutional narrative.[172] This case combined with *Dobbs* should be to *Obergefell*, *Windsor*, *Bostock*, *Roe*, and *Case* what *Brown v. Board of Education of Topeka*, 347 U.S. 483 (1954) was to *Plessy v. Ferguson*, 163 U.S. 537 (1896). *Obergefell, Windsor, Bostock, Roe,* and *Casey* should be relegated to the trash heap of judicial

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[172] In the wake of *Obergefell*, *Windsor*, and *Bostock*, there has not been the promised equality, tolerance, and unity, but instead, there has been division, domination by secular humanists, the dangerous proliferation of moral superiority complexes by moral relativists, cancel culture, the erosion of the integrity of the legal basis supporting the race-based civil rights movement which is objectively based on immutability for secular reasons, increased sexual exploitation and licentiousness, the proliferation of sexual confusion amongst minors, and the marginalization and even violent oppression of non-observers of the religion of secular humanism, demonstrating that those decisions amount to some of the greatest non-secular shams since the inception of American jurisprudence. Not only have the Plaintiffs suffered immensely as the result of the unprincipled ploy of secular humanist government officials to entangle our government with their licentious religion, so have millions of Americans in the general public. Parents, especially, are fed up.

history just like *Dred Scott v. Sandford*, 60 U.S. 393 (1857) for being based on the exact same fraudulent and absurd legal framework. While the left has drawn the battlefield for the LGBTQ and abortion fight under the Fourteenth Amendment through a series of dishonest emotional appeals and twisted reasoning, the Plaintiffs drag the LGBTQ and convenience abortion fight to the battlefield where it has always belonged, placing it within the confines of the First Amendment Establishment and Free Exercise Clauses as logic, reason, and the evidence demands. The *Roe* and *Obergefell* were not just egregiously wrong decisions - and they were - they were decided under the wrong part of the Constitution. Period, full stop.

183. The Supreme Court in *Obergefell*, *Bostock*, *Roe* and *Casey* misapplied the Fourteenth Amendment through an unprincipled ploy, and issued decisions that were based solely on a series of emotional appeals as a way to get around the Establishment Clause of the First Amendment of the United States Constitution.

184. The United States Supreme Court held in *Seminole Tribe of Fla. v. South Carolina*, 517 U.S. 44 (1996) and in *St. Joseph Stock Yards Co. v. United States*, 298 U.S. 38 (1936) that "Stare Decisis is at its weakest when the Supreme Court interprets the constitution because its decisions can be altered only by constitutional amendment or by overruling prior decisions." *Obergefell*, *Windsor, Bostock, Roe*, and *Casey* merely involved Constitutional interpretation which means that Stare Decisis is at its weakest involving those decisions.

185. The United States Supreme Court in *Cooper Industries, Inc. v. Aviall Services*, Inc. 543 U.S. 157 (2004) stated that "[Constitutional] questions which merely lurk in the record, neither brought to [the] attention of the court nor ruled upon, are not to be considered as having been so decided as to constitute precedents." In *Bostock*, *Obergefell*, *Windsor, Roe, and Casey,* the controlling applicability of the Establishment Clause of the First Amendment of the

United States Constitution regarding sexual orientation orthodoxy and convenience abortion practices was "lurking in the shadows" of those cases but not decided upon by the Supreme Court, which means that Stare Decisis does not apply, and those cases are subjected to being legitimately overruled for being framed on the wrong constitutional narrative. This Court is tasked with determining if the Establishment Clause balanced with the Free Exercise Clause of the First Amendment have exclusive and paramount jurisdiction over all matters that relate to the licentious LGBTQ cult and the pro-abortion death cult. By framing these matters under the First Amendment, Stare Decisis does not save *Bostock, Windsor, Obergefell, Roe,* and *Casey* from being completely overruled, no matter how much violence secular humanists are threatening, as encouraged by the Defendants' inexcusable non-responsiveness. After resolving the First Amendment questions presented, the Court is also tasked with answering the 10th Amendment question presented in how it relates to the Free Exercise Clause, the State traditional right to regulate licentious religious practices. The public would benefit if the Court issues an injunction finding exclusively that the 10th Amendment of the United States Constitution allows the state legislatures - all of which the Plaintiffs work directly with - in all 50 states to regulate licentious religious practices, like LGBTQ conduct and convenience abortion practices.[173]

186. **Issuing An Injunction Favors The Public Because It Will Serve To Uphold**

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[173] By enjoining the Defendants for creating, introducing, endorsing, favoring, promoting, and threatening to enactand enforce the Equality Act and the Women's Health Protection Act, the public will benefit because it will finally allow the Article III branch to come clean and admit that the Article III branch lacked subject matter jurisdiction to hear *Bostock, Obergefell, Windsor*, *Roe*, and *Casey* in the first place because the Liberty Clause and Substantive Due Process Clause of the Fourteenth Amendment has absolutely nothing to do with matters that relate to non-secular self-asserted sex-based identity narratives, sexual orientation orthodoxy, gender identity ideology, and the state's right to restrict non-secular convenience abortion - all of which are matters of religion that fall within the exclusive jurisdiction of the Establishment Clause and Free Exercise Clauses of the First Amendment of the United States Constitution and within the similar provisions of each state Constitution, all of which parallel the commands of the federal Constitution.

Community Standards Of Decency And Protect Innocent Living On The Local Level:

The United States Supreme Court has repeatedly held that the state governments have a compelling interest to uphold community standards of decency, to discourage licentiousness, and to enact policies that stop attempts to justify practices that are inconsistent with the peace and safety of the state, as underscored by the states' inherent police powers afforded by the Tenth Amendment of the United States Constitution adn the individual state's Constitutions..

187. The United States Supreme Court found in *Ginsberg v. New York*, 390 U.S. 629, 638 (1968) and *Mishkin v. State of New York*, 383 U.S. 502, 509 (1966) that "to simply adjust the definition of obscenity to social realities has always failed to be persuasive before the courts of the United States", and such adjustments brought on by the Defendants' political and constitutional malpractice in introducing and promoting the Equality Act and the Women's Health Protection Act of 2022 should fail to be persuasive to this Court.

188. Courts, in cases like *Schlegel v. United States*,416 F. 2d 1372 (Ct. Cl. 1969), have held as a matter of self-evident observation that "any schoolboy knows that a homosexual act is immoral, indecent, lewd, and obscene. *Adult* persons are even more conscious that this is true."(Emphasis Added). The Defendants are extremely old adults, so they should know better. Just as no one has to tell us that rape and polygamy are immoral, the same applies to homosexual and convenience abortion practices. All reasonable people can see that such practices are self-evidently immoral, and this is why those practices produce natural feelings of shame, guilt, and inadequacy. The Defendants merely seek to capitalize and encourage those feelings in a manner that causes them to be categorically evil or out of touch with transcultural reality. It is so obvious that mandating the allowance of convenience abortion practices proliferates and

explosion in destructive promiscuity and malevolent salaciousness. Even though adultery,[174] child sex abuse,[175] and polygamy or bimamy[176] are sacred acts in certain religious communities, they have been deemed licentious and can be regulated by the states at the expense of the Free Exercise Clause. Convenience abortion practices and homosexual practices are sacred sacraments in secular humanism. Just because they are important practices to the religion of secular humanism does not mean that they are protected by the Free Exercise Clause at the expense of the states' traditional right to regulate and prohibit licentious religious practices.

189. By granting the Plaintiffs' request for an injunction, the public will benefit because it will allow the states to regain power that was wrongfully taken away from them through the misuse of the Fourteenth Amendment in a reckless manner that caused the government to entangle itself with the licentious LGBTQ cult and the pro-abortion death cult without a proper legal basis to begin with. While it is fair to say that many state legislatures are not all experts on Constitutional law or rocket scientists, the paramount power belongs with the state legislature - for better or for worse - in keeping with the spirit of the Tenth Amendment of the United States

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[174] *King v. United States*, 17 F.2d 61, 63 (4th Cir. 1927); *United States v. Clapox*, 35 F. 575 (Or. Dist. Ct. 1888); *Lake v. Governor*, 2 Stew. 395, 398 (Ala. 1830); *Kelley v. State*, 226 S.W. 137, 138 (Ark. 1920); *Tully v. Tully*, 69 P. 700, 700 (Cal. 1902); *In re Estate of Jessup*, 22 P. 742, 746 (Cal. 1889). Some courts have equated "licentiousness" with incest as well. See *Campbell v. Crampton*, 2 F. 417, 428 (C.C.N.D.N.Y 1880).

[175] Mut. Life Ins. Co. v. Terry, 82 U.S. (15 Wall.) 580, 589 (1872); Hansel v. Purnell, 1 F.2d 266, 270–71 (6th Cir. 1924); *People v. Stouter*, 75 P. 780, 780–82 (Cal. 1904); People v. Adams, 47 P.2d 320, 320 (Cal. App. 1935); *Cheeseman v. Cheeseman*, 278 P. 242, 242 (Cal. App. 1929); People v. Camp, 183 P. 845, 848 (Cal. App. 1919); In re Petition of Todd, 186 P. 790, 795 (Cal. App. 1919); *People v. Hoosier*, 142 P. 514, 516 (Cal. App. 1914); *People v. Anthony*, 129 P. 968, 970 (Cal. App. 1912); *Blount v. State*, 138 So. 2, 2–3 (Fla. 1931).

[176] *Davis v. Beason,* 133 U.S. 333, 348 (1890). *The term "licentiousness" has been used by multiple co*urts in cases prosecuted under the White Slave Act of 1910, ch. 395, 36 Stat. 825 (current version at 18 U.S.C. §§ 2421–2428 (2006)). See *Athanasaw v. United State*s, 227 U.S. 326, 331 (1913) (affirming conviction for transporting a girl for the purpose of debauchery in violation of the White Slave Act); *United States v. Long*, 16 F. Supp. 231, 232 (E.D. Ill. 1936) (convicting defendant for transporting two girls for the purpose of debauchery in violation of the White Slave Act).

Constitution, not with the federal government. Based on actual American history, tradition, and heritage, both the federal legislature and the federal courts are equally prevented under the 10th Amendment from prohibiting the states from regulating licentious religious practices that harm communities and families in those states who are simply trying to thrive and live in a wholesome environment, were innocence is celebrated, not pride.[177] It is time to allow the states to return to "Mayberry," if they so choose. Places like Hollywood and New York City - where Plaintiffs Sevier routinely lives for parts of the year - can remain spectacularly debauched but the Southern states and the states in middle America are longing to get rid of the licentious religious practices that have been wrongfully imposed on them by constitutional misconduct in both the judicial and legislative branches. It is time to knock it off.

190. It Is In The Public's Best Interest That The Court Issues The Injunction That Overrules *Obergefell* and *Bostock* And Enjoins The Equality Act Because Those Federal Policies Hurt Black Americans And Undermine The Legitimacy Of The Race-Based Civil Rights Movement.

It is in the public's best interest for this Court to nullify the Equality Act and to not allow the licentious LGBTQ cult or their Democrat patsies - the Defendants - to molest the Civil Rights Act or the Fourteenth Amendment any longer to protect the integrity of the civil rights movement led by Christian pastors, like Rev. Dr. Martin Luther King Jr..[178] The Fourteenth

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[177] Restoring community standards of decency on the state and local level will promote human flourishing and promote healthy forms of sexual conduct that accord with the natural, non-controversial, and self-evident human design, while encouraging commitment in relationships between men and women. It will not pit mothers against their children in a fatal fashion that is unthinkable to all reasonable people of ordinary prudence.

While individual Americans can make the unwise decision to be seduced into buying into the licentious LGBTQ cult's and pro-abortion death cult's core dogma if they want to, as even as some of the Plaintiffs regrettably have in the past before being radically transformed by the central figure of the New Testament Gospel narrative, the federal government, especially, certainly cannot do anything to promote or encourage citizens to join those licentious cults or to respect its ideology that has been immoral for millennia and since the inception of our founding.

[178] In *Penkoski v. Bowser,* 486 F.Supp. 3d 219 (D.D.C. 2020), the plaintiffs opposed Mayor Bowser's decision to entangle the District of Columbia under the Establishment Clause with the non-secular BLM cult at the taxpayers' expense because the Black Lives Matter organization is

Amendment holds special significance for black Americans. The text of the Fourteenth Amendment guarantees that "no state shall . . . deny to any person within its jurisdiction Equal Protection of the laws." U.S. Const., amend. XIV, § 1. When the Equal Protection Clause became law in 1868, many black Americans were recently emancipated slaves. Four years later in 1872, the Supreme Court suggested that race discrimination was "the evil [the Civil War Amendments] were designed to remedy," *Slaughter-House Cases*, 83 U.S. 36, 72 (1873) ("We do not say that no one else but the negro can share in [their] protection, but . . . in any fair and just construction of any section or phrase of these [Civil War] amendments, it is necessary to look to the purpose which we have said was the pervading spirit of them all, the evil which they were designed to remedy."). It took nearly a century after the Civil War for the Supreme Court to enforce a modicum of what we now know as substantive equality. See *Brown v. Board of Educ.*, 347 U.S. 483 (1954).

191. Comparing the dilemmas of self-identified homosexuals and self-identified transvestites to the centuries of discrimination faced by black Americans is a deceptive distortion of our country's culture and history. The disgraces in our nation's history pertaining to the civil rights of black Americans are unmatched. No other class of individuals, including individuals who self-identify as homosexual, have ever been enslaved, or lawfully viewed not as human, but as property.[179] Self-identified homosexuals have never been forced by law to attend different

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bad for black people - it exploits them. (Just consider Patrisse Cullors spending practices, which warrants an investigation by the Department of Justice for cause). The Plaintiffs here also oppose the Defendants for exploiting black Americans through unconstitutional and unethical policy proposals that relate to the Equality Act. The Defendants know or should know that to conflate the phony gay civil rights movement, which is not based on immutability and genetics, to the race-based civil rights plight, which is actually predicated on immutability and genetics, is an act of racial animus and racism in-kind that manages to be emotionally, racially, intellectually, and sexually exploitative. Statement of Facts ¶ 88; See Decl. Alliance of Black and White Ex-Gays and Ex-Trans. ¶ 12.

[179] *See, e.g.*, Stacy Swimp, *LGBT Comparison of Marriage Redefinition to Historical Black Civil Rights Struggles is Dishonest and Manufactured* (March 7, 2014),

schools, walk on separate public sidewalks, sit at the back of the bus, drink out of separate drinking fountains, have their right to assemble denied, or have their voting rights denied. This is because there is no such thing as a "homosexual" in the strictest sense. There are only people who self-identify as homosexual for some period of time, which the Free Exercise Clause of the First Amendment of the United States Constitution permits. But non-secular self-asserted sex-based identity narratives can be left behind as the Free Exercise Clause also permits. People can convert to a new identity narrative that accords with the giveness of their nature that is not controversial or questionably moral. Plaintiffs Quinlan, Black, Dr. Pickup, and Mehl are living proof of that, [180] but all of us know that skin color never changes, and skin color has nothing to do with questionably immoral sexual conduct, like LGBTQ practices do.

(http://stacyswimp.net/2014/03/07/lgbt-comparison-of-marriage-redefinition-to-historical-Black-civil-rights-struggles-is-dishonest-and-manufactured).

[180] In fact, there is no such thing as "gay people." Statement of Facts ¶ 61. There are only some people who self-identify as homosexual for some period of time, which the Free Exercise Clause undoubtedly permits. President Lincoln was correct. All people are created equal. All men are created equally broken and in dire need of a savior. But our government is not a savior. Our government is not a church. While all men are created equal, they do not all buy into the same belief systems or choose the same paths in life, but not all religious practices are legal or justifiable despite the sincerity of belief. Hypothetically, if Defendant Pelosi were to suddenly snap upon realizing that most of the Democrat's party platform as it relates to the culture wars violates the Establishment Clause and murdered Defendant Schumer in the Senate Russell Building by attacking him with a baseball bat that was on hand by coincidence. At trial, for second-degree murder, Defendant Pelosi could not successfully argue "Your Honor, I was born this way. I was born with anger inside of me, and I merely acted upon those feelings, and therefore, I should be given special treatment under the law and exonerated." That defense would fail, and so it goes with those who act on homosexual or pedophilia feelings. They do not deserve special treatment, extra rights, or additional protection under the law at the expense of the states' right to regulate licentious religious practices even if those practices were deemed to be sacred in the religion of secular humanism. The Defendants are merely pretending that self-identified homosexuals deserve special rights and privileges at the disadvantage of those who condemn their conduct simply because it helps the Defendants advance their political interests in a manner that is truly sickening under the reasonable person standard. The fact that these Defendants have the audacity to push the Equality Act under the guise of equality in hopes of producing less of it should invoke the wrath of this Court.

192. Article V of the United States Constitution exists for a reason, and that reason is to prevent such radical redefinition of our social contract by non-democratic means. A critical difference exists between interpreting and re-writing the Constitution, and the Defendants, like the self-identified LGBTQ plaintiffs in *Obergefell*, *Windsor*, and *Bostock*, want that line crossed. As the Eighth Circuit correctly held in *Citizens for Equal Protection v. Bruning*:

> In the nearly one hundred and fifty years since the Fourteenth Amendment was adopted, to our knowledge no Justice of the Supreme Court has suggested that a state statute or constitutional provision codifying the traditional definition of marriage violates the Equal Protection Clause or any other provision of the United States Constitution.
> 455 F.3d 859, 870 (8th Cir. 2006).

This is because traditional marriage policies amount to secular policies because they are predicated on natural, neutral, and non-controversial self-evident truth, whereas all other policies, like the Equality Act, that attempt to legally legitimize any form of parody marriage, constitute a non-secular sham that lacks a secular purpose and are designed to excessively entangle the government with the religion of secular humanism. Man-woman marriage is the only form of marriage that the United States Constitution will permit the State and federal government to legally recognize. [181] All other forms of marriage policies lack a primary secular purpose and serve to establish America as a secular humanist theocracy in violation of our most

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[181] In the Establishment Act, the Plaintiffs define legally recognized marriage as follows: "Secular marriage" means a legal union that represents an intended lifelong commitment between one person who was born a biological male and one person who was born a biological female as husband and wife, who are of equal but opposite genders, who become spouses of the opposite sex, and who have corresponding sexual anatomy that if coalesced have the actual or symbolic potential to create offspring who will likely have the input of the two spouses with whom they share the same genetic code and unbroken ancestral chain." A policy that respects or promotes this form of marriage on the federal level, like Defense of Marriage Act (DOMA), 110 Stat. 2419., or the state level constitutes a secular policy. DOMA was wrongfully struck down in the egregiously wrong decision in *Windsor*.

The Plaintiffs define legally unrecognizable marriage as follows: "Non-secular marriage" means any form of so-called marriage which does not involve a man and a woman and is inseparably linked to the religion of secular humanism. The term refers to so-called marriages between more than two people, persons of the same sex, a person and an animal, or a person and an object.

basic and important social contract that is the glue that holds our perfect Union together. This is why the "Reverse Obergefell Act (ROA)" will be rolled out Nationwide.[182]

193. We ask you to imagine yourself sitting on the bench hearing oral arguments in 1868, shortly after the Fourteenth Amendment was ratified. The petitioners in *Obergefell* and *Bostock* and the Defendants come before you and present their argument that is at the center of the Equality Act, Executive Order 14075, and *Obergefell*: "The Fourteenth Amendment to the U.S. Constitution requires favored treatment of self-identified homosexuals to promote their narrow and exclusive faith-based ideology through the organs of government." Look around you. What is the panel and audience's reaction? Is it nodding approval?

194. If not, what has changed between then and now? There has been no further Constitutional Amendment, as Article V requires. All that has changed is the attitude towards a licentious secular humanist cult that the Defendants are exploiting for self-serving purposes at the expense of their Clause 3, Article VI oath of office and at the expense of the civil rights afforded to the Plaintiffs and millions of other Americans. The unexamined assumption of the superiority of our cultural moment is not a valid basis for law, but the text of the Establishment Clause of the First Amendment is. The attempts of the licentious LGBTQ cult and the Democrats to twist the Fourteenth Amendment in a way that is deeply offensive to millions of black Americans must be stopped for once and for all.

195. It Is In The Public's Best Interest That The Court Issue An Injunction That Enjoins The Women's Health Protection Act And Further Overrules *Roe* And *Casey* Because Those Federal Policy Decisions Are Harming Black Americans And Threatening To Undermine The Integrity Of the Race-Based Civil Rights Movement Lead By Black Christian Pastors.

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[182] See also Appendix A the School Establishment Clause Act and the Establishment Clause Act:https://legiscan.com/ND/bill/1476/2021

An injunction to enjoin the Women's Health Protection Act would be good for the public in protecting the race-based civil rights movement because Margaret Sanger, the founder of the Planned Parenthood death cult, is the worst thing that has ever happened to black life in America.[183] Margaret Sanger's well-documented admiration for Nazi eugenics is a matter of public record[184] and causes her to be cut from the same cloth as Dr. Josef Mengele.[185] Sanger wanted to make sure that certain portions of the population were controlled.[186] She wrote in a letter that she did not want the word to get out that the paramount objective of the Planned Parenthood death cult was "to exterminate the Negro population." [187] Mrs. Sanger considered people of color and the disabled to be like human weeds that should be pulled out of the ground.[188] She regularly bribed select black pastors and black leaders, paying them to market to their congregations to kill their offspring so that the black population in the United States would be decreased. Mrs. Sanger's eugenics scheme has born fruit thanks to the Democrat party's collusion with her, and now black American women are three times more likely to undergo a convenience abortion. Convenience abortion is the number one cause of death in the black American community. The Women's Health Protection Act and the promised Executive Order that Defendant Biden has promised to enact in retaliation to the official *Dobbs* decision would guarantee this to be the case for generations to come unless the Article III branch holds the Defendants in check. 164. Planned Parenthood's plan to interject easy access to unrestricted convenience abortion in vulnerable poor communities has unraveled the lives of multitudes of

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[183]https://www.vox.com/identities/2018/1/19/16906928/black-anti-abortion-movement-yoruba-richen-medical-racism

[184] https://rewirenewsgroup.com/wp-content/uploads/2015/08/Sanger.pdf

[185] https://encyclopedia.ushmm.org/content/en/article/josef-mengele

[186]https://www.americamagazine.org/politics-society/2017/11/27/margaret-sanger-was-eugenicist-why-are-we-still-celebrating-her?gclid=Cj0KCQjwvqeUBhCBARIsAOdt45YNh-OxNzmJe0nlIIu3hBta-LUCR7AyHCzBrFOFgp9jKylvtcmyuugaAg5yEALw_wcB

[187] https://libex.smith.edu/omeka/files/original/d6358bc3053c93183295bf2df1c0c931.pdf

[188]https://www.theepochtimes.com/margaret-sangers-racist-legacy_3788467.html

black families. By the 1960s, black family life was still relatively healthy.[189] 78% of black husbands were in their homes with their wives raising children. *Id.* Fast forward to *Roe*, combined with the interjection of welfare state policies, and 75% of children are born outside of marriage. *Id.* The crime rates, the welfare rates, the abortion rates, the aids rates begin hitting this segment of the population before the government's decision to crawl into bed and entangle itself with the abortion death cult. *Id.* The fact that Hilliary Clinton stands by her statements to be in "awe of Marget Sanger" says all one needs to know about the illegitimacy of the Democrat Party, the Defendants, and the Women's Health Protection Act and all similar federal legislation and judicial decisions like *Roe* and *Casey*.[190]

196. The Liberty Clause of the Fourteenth Amendment protects all Americans from race-based discrimination and it is deeply offensive to millions of Black Americans that the provision of the Constitution that gave them equality under the law could be subsequently twisted to encourage the systematic slaughter of their own children in the womb. The Plaintiffs are asking the Court to a take a sledgehammer to the Women's Health Protection Act, the related Executive Order, *Roe,* and *Casey* for reasons that are different and stronger than the ones provided by the *Dobbs* Court, so that it is clear to the American people and to the Defendants and their fellow Democrats that *Roe* and *Casey* are dead, and they are never coming back again.[191]

197. **It Is In The Public's Best Interest To Keep Pandora's Box Closed And Avoid A Devastating And Escalating Slippery Slope Problem.**

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[189] See https://www.dailywire.com/videos/choosing-death-the-legacy-of-roe.

[190] https://www.washingtonexaminer.com/weekly-standard/sec-clinton-stands-by-her-praise-of-eugenicist-margaret-sanger

[191] To see a modern depicition of the horrors of convenience abortion practdices see https://www.unplannedfilm.com, an eye-opening look inside the abortion industry from a woman, Abby Johnson, who was once its most passionate advocate

Issuing an injunction is in the best interest of the public because it will keep Pandora's box closed and put a stop to the slippery slope problem which is an undeniable problem that is devasting local communities that are far removed from the District Of Columbia.. See the MAPS movement - "minor-attracted persons."[192] There is no such thing as a "partial civil rights movement." For example, even the non-obvious groups that are part of a suspect class are entitled to full protection. Take "race" for example. Titles II, III, IV, VI, VII, and IX and the Fourteenth Amendment prohibit discrimination on the basis of "race." This means that the government cannot discriminate on the basis of race against any race to include a non-obvious racial group like "whites." See *McDonald v. Santa Fe Trail Transp. Co.*, 427 U.S. 273, 27879, 96 S. Ct. 2574, 2578, 49 L. Ed. 2d 493 (1976). Or just imagine if the Fourteenth Amendment and titles II, III, IV, VI, VII, and IX only prohibited discrimination on the basis of race against the largest majority of a suspect class of race - "whites" - and the largest minority - "blacks"- but still allowed the government to discriminate against albinos, yellow Asians, tan Latinos, and red American Indians because they do not have as much political clout. That would be unthinkable from a legal, moral, and constitutional perspective. Either the government is prohibited from discriminating on the basis of race against all races - and it is - or race cannot be a protected class. Because race is predicated on immutability and genetics unlike sexual orientation, race is a legitimately protected class and all non-obvious races are protected for good reason.

198. If sexual orientation orthodoxy and gender identity ideology were enshrined and codified in titles II, III, IV, VI, VII, and IX, it would mean that all non-suspect classes of sexual orientation would deserve equal treatment under the law, not just self-identified homosexuals, self-identified transvestites, heterosexuals, or self-identified bi-sexuals. It would include

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[192]https://www.theamericanconservative.com/dreher/allyn-walker-normalizing-pedophiles-minor-attracted-persons/

non-obvious groups, like self-identified zoophiles, self-identified objectophiles, self-identified polygamists, and self-identified minor-attracted persons (MAPs) no matter how morally repugnant.

199. Take "marriage" for example. If the Equality Act were enacted, and then if legally recognized marriage was really an "individual right," "existing right," [193] and "fundamental right" [194] based on a "personal choice" [195] and an "intimate choice" [196] pursuant to the Fourteenth Amendment's Equal Protection and Substantive Due Process Clauses for self-identified homosexuals, then very obviously, legally recognized marriage must also be an "individual right," existing right," and "fundamental right" based on a "personal choice" and an "intimate choice" pursuant to the Fourteenth Amendment for self-identified zooaphiles, self-identified objectophiles, self-identified polygamists, and self-identified minor-attracted persons. And if that is not true - and it is not - then the entire legal fiction that sexual orientation is a civil rights matter is a sham and fiction that lacks a primary secular purpose - which of course it always has been. Any reasonable observer can see that, and the movement to return to a pre-*Obergefell* era is going to grow and escalate. So how must the government view "sexual orientation" if it is not a Fourteenth Amendment matter? The government must treat sexual orientation as a matter of religion that arises under the Free Exercise Clause and Establishment Clause of the First Amendment. It must treat the Equality Act, and all similar existing policies, as non-secular shams that are invalidated under and preempted by the Establishment Clause of the First Amendment of the United States Constitution. Every single policy that respects sexual

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[193] *Loving v. Virginia*, 388 U.S. 1, 12 (1967) (existing right/individual right)
[194] *Zablocki v. Redhail*, 434 U.S. 374, 384 (1978) (fundamental right)
[195] *Cleveland Bd. of Educ. v. LaFleur*, 414 U.S. 632, 63940 (1974) (personal choice)
[196] *Lawrence v. Texas*, 539 U.S. 558 (2003) (intimate choice)

orientation orthodoxy and gender identity ideology excessively must be declared unconstitutional and invalidated immediately on both the state and federal level.

200. In an effort to safeguard the integrity of the Fourteenth Amendment, Chief Justice Roberts made a watertight slippery slope argument in his dissent in *Obergefell* that if the government was required to legally recognize man-man marriage and woman-woman marriage, then the government must also be mandated to recognize polygamy marriages based on the exact same legal reasoning. [197] And yet, gay marriage is legally protected and polygamy marriages remain illegal under the reasoning in *Reynolds v. United States*, 98 U.S. 145 (1878) and *Davis v. Beason*, 133 U.S. 333 (1890) for legitimate reasons. The fact of the matter is that gay marriage is not marriage. It never will be. Gay marriage is a parody of actual marriage, it makes a mockery of actual marriage and it threatens the fabric of the western proscribed nuclear family, as it was always intended to. No amount of pretending changes that. Similarly, a man is not a female no matter how much pretending or self-mutilation is undertaken. If a man is upset that he was born

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[197] In making the slippery slope argument in his dissent in *Obergefell*, Justice Roberts stated as follows: "Indeed, from the standpoint of history and tradition, a leap from opposite-sex marriage to same-sex marriage is much greater than one from a two-person union to plural unions, which have deep roots in some cultures around the world. If the majority is willing to take the big leap, it is hard to see how it can say no to the shorter one. It is striking how much of the majority's reasoning would apply with equal force to the claim of a fundamental right to plural marriage. If "[t]here is dignity in the bond between two men or two women who seek to marry and in their autonomy to make such profound choices," *ante*, at 13, why would there be any less dignity in the bond between three people who, in exercising their autonomy, seek to make the profound choice to marry? If a same-sex couple has the constitutional right to marry because their children would otherwise "suffer the stigma of knowing their families are somehow lesser," *ante*, at 15, why wouldn't the same reasoning apply to a family of three or more persons raising children? If not having the opportunity to marry "serves to disrespect and subordinate" gay and lesbian couples, why wouldn't the same "imposition of this disability," *ante*, at 22, serve to disrespect and subordinate people who find fulfillment in polyamorous relationships? See Bennett, Polyamory: The Next Sexual Revolution? Newsweek, July 28, 2009 (estimating 500,000 polyamorous families in the United States);; Li, Married Lesbian "Throuple" Expecting First Child, N. Y. Post, Apr. 23, 2014;; Otter, Three May Not Be a Crowd: The Case for a Constitutional Right to Plural Marriage, 64 Emory L. J. 1977 (2015)." *Obergefell* at 21 (Justice Roberts Dissenting).

as a man and not as a female, his quarrel is with the Almighty, not with the government. The Plaintiffs do not deny that citizens have the right to play pretend under the Free Exercise Clause of the First Amendment, but the Establishment Clause of the First Amendment bars the Democrats from using government to respect faith-based fantasies, especially when those unproven potential non-realities promote licentiousness and are nothing more than an attempts to justify practices that are inconsistent with the peace and safety of the states.[198]

XVIII. RELIEF

201. WHEREFORE, the Plaintiffs pray that the Court:

1. Declares under 28 U.S.C. § 2201(a) through a declaratory judgment:

a. that the Defendants' actions to draft, introduce, promote, endorse, respect, favor, and threaten to enact (i) Excutive Order 14075, (ii) the soon-to-be enacted retaliation Executive Order in response to Dobbs, (iii) the Equality Act, (iv) the Women's Health Protection Act, (v)

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[198] As the paraddy gay marriage charade was winding its way through the federal courts unimpeded by inspufficient defenses provided by inept state attorneys general, Plaintiffs Sevier moved to intervene pursuant to FRCP 24 in the following cases: *Bradacs v. Haley*, 58 F.Supp.3d 514 (2014);;;; *Brenner v. Scott*, 2014 WL 1652418 (2014);;;; *General Synod of The United Church of Christ v. Cooper*, 3:14cv213 (WD. NC 2014);;;; *Kitchen v. Herbert*, 755 F. 3d 1193, 1223 (CA10 2014);;;; *Bostic v. Schaefer*, 760 F.3d 352 (4th Cir. 2014);;;; M ajors v. Horne, 14 F. Supp. 3d 1313 (Ariz. 2014);;;; *Deleon v. Abbott*, 791 F3d 619 (5th Cir 2015);;;; *Tanco v. Haslam*, 7 F. Supp. 3d 759 (MD Tenn. 2014);;;; *Bourke v. Beshear*, 996 F. Supp. 2d 542 (WD Ky. 2014);;;; and *Obergefell v. Hodge*,192 L. Ed. 2d 609 (2015). In those cases, Plaintiff Sevier made the argument in the record that if the state governments had to legally allow a man to marry a man, then the government must also allow a man to marry an object on the same legal basis. In *Brenner Scott*, Judge Hinkle ruled that the request that a man should be legally allowed to marry and object was "removed from reality" and "implausible." The Plaintiffs here agree with Judge Hinkle, but add that it is no less "implausible" or "removed from reality" to allow a man to legally marry an object any more so than to legally allow a man to marry a man or a woman to legally marry a woman. It takes an enormous amount of deranged religious faith to believe that a man should be able to legally marry a man and force all of society to view his spouse as his wife and that somehow none of that is patently immoral on its face or in total opposition of the state's compelling interest to uphold community standards of decency. All of the efforts of the Federal government to crawl in bed with the licentious LGBTQ cult and to give its doctrine special favortism on a National level is flagrantly unlawful under the Establishment Clause and also violates the 10th Amendment by infringing on power conferred on the states. The federal government that needs to respectfully butt out.

any new HHS rule that promote LGBTQ ideology or practices directly or indirectly, (vi) any new HHS rule that allows for public funds to be used for travel vouchers for those seeking to have convenience abortion, (vi) any policy that excessively promotes or endorses LGBTQ ideology and practices directly or indirectly in the Military, (vii) any policy that promotes or requires mandatory non-secular pronoun changes in the Military that are unnatural and part from tradition, (vii) any policy that permits executive agencies to construct non-secular convenience abortion facilities on federal lands at the taxpayers expense, (viii) any new HHS rule that allows for abortion pills to be shipped to states after they have restricted and banned the deadly practice of convenience abortion in violation of the states civil and criminal codes, and (viii) all substantially similar policies violates the Establishment Clause, the Free Exercise Clause, and the Free Speech Clause of the First Amendment of the United States Constitution and the Tenth Amendment of the United States Constitution for the same reasons that the decisions in *Roe, Casey, Obergefell, Windsor,* and *Bostic* do;

b. That the egregiously wrong decisions in *Roe* and *Casey* that were overruled by the Supreme Court in *Dobbs* are further overruled for being decisions that violate the Establishment Clause of the First Amendment of the United States Constitution and the Tenth Amendment of the United States Constitution based on the Plaintiffs new arguments that arise under the text of the Constitution.

c. The United States Constitution does not confer on the Federal Judiciary, Congress, or Executive branches the right to regulate or deregulate licentious religious practices, such as convenience abortions and LGBTQ practices, but that the Tenth Amendment confers power to state representatives, like Plaintiff Nichols, and the people, like Plaintiffs Sciba, Vazzo, Schwab,

and Sevier, the right to regulate religious practices that (A) encourage licentiousness or (B) attempt to justify practices that are inconsistent with the peace and safety of the State;

d. that the Defendants violated their Clause 3 Article VI oath of office to uphold the United States Constitution by creating, introducing, promoting, favoring, respecting, endorsing, and threatening to enact the Equality Act, Executive Order 14075, new non-secular HHS Rules, the Women's Health Protection Act, a retaliation Executive Order calculated to undermine the effect of the Dobbs decision, and other similar policies because those policies are designed to establish America as a secular humanist theocracy;

e. that LGBTQ ideology is inseparably linked to the religion of secular humanism and its respect by government endorsement violate the principles of the separation of church and state for failing the three prongs of the *Lemon* test, the endorsement test, and the coercion test;

f. That while the *Lemon* test might be dead as to the governments' involvement with institutionalized religions in view of the decision in *Kennedy v. Bremerton School District*, 597 U.S. ___ (2022) that the *Lemon* Test still applies to a government actor's efforts to establish a non-institutionalized religion, like secular humanism, over other religions and non-religion.

g. that while LGBTQ and pro-convenience abortion secular humanist beliefs may be afforded some protections under the Free Exercise Clause of the First Amendment of the United States Constitution that secular humanism might be classified as a disfavored religion whose practices may be regulated by the states and even outlawed by the state legislatures under the police powers provided to them pursuant to the Tenth Amendment of the United States Constitution because (A) the practices unequivocally promote licentiousness and because (B) secular humanism is self-evidently a religion that attempts to justify practices that are

inconsistent with the peace and safety of the states and the health safety, and welfare of local communities that are located far away from the beltway in Washington DC;

h. that American tradition and heritage dictate that it is the paramount protected prerogative of the multitudes of state legislatures that the Plaintiffs directly work with in every state to determine whether LGBTQ and convenience abortion secular humanist ideology and practices erode community standards of decency and undermine a litany of compelling governmental interests and that those same state legislatures have a legitimate reason and compelling interest to uphold community standards of decency pursuant to the police powers afforded under the Tenth Amendment of the United States Constitution in regulating licentious religious practices;

i. that there is a legal and factual distinction between a "secular abortion" and a non-secular "convenience abortion;"

j. that America is not a secular humanist Nation or officially a Christian Nation, but that America is unofficially a Christian Nation insofar as the laws and policies made by the state and federal government can parallel Christian principles and morality without mandating belief in Christianity;

k. that the School Establishment Clause Act (SECA), the Establishment Clause Act, the Keep Roe Reversed Act, the Stop WOKA Act, that the Plaintiffs are using taxpayer dollars to create and draft in preparation for introduction, will not be preempted by the challenged federal policies once enacted;

l. that the Equality Act and Women's Health Protection Act are just as Constitutionally invalid now as they will be if the filibuster was removed and the measures were enacted, meaning that the plan to nuke the filibuster to enact these measures is moot;

m. that the decisions in *Obergefell*, *Windsor, Bostock*, *Roe,* and *Casey* controversies were Constitutionally invalid for having been decided upon the wrong constitutional prescription and framework and that the Establishment Clause is the paramount texual basis for why those decisions were egregiously wrong taken with the states' traditional right to regulate licentious religious practices pursuant to the Tenth Amendment of the United States Constitution and the authority provided to the states by their individual state constitutions;

n. that the term "sex" in Titles II, III, IV, VI, VII, and IX and in any other government policy can only mean or refer to a person who was born "male" with male anatomy and with x and y chromosomes in their cells, or a person who was born "female" with female anatomy and with two x chromosomes in their cells, and that any other interpretation of that term causes the statute to lack a primary secular purpose and is barred by the Establishment Clause of the First Amendment of the United States Constitution because any other interpretation serves to establish America as a secular humanist theocracy in violation of the social contract that holds the Nation together;

o. that reparative therapy is not "discredited" and the Defendants are not allowed to treated it as such through government action that serves to directly or indirectly interfere with Plaintiffs Sciba's, Schwab's, Razzo's, and Sevier's businesses in Texas;

2. Issues a preliminary and permanent injunction that requires the Defendants to table the (i) Excutive Order 14075, (ii) the soon-to-be enacted retaliation Executive Order in response to Dobbs, (iii) the Equality Act, (iv) the Women's Health Protection Act, (v) any new HHS rule that promote LGBTQ ideology or practices directly or indirectly, (vi) any new HHS rule that allows for public funds to be used for travel vouchers for those seeking to have convenience abortion, (vi) any policy that excessively promotes or endorses LGBTQ ideology and practices

directly or indirectly in the Military, (vii) any policy that promotes or requires mandatory non-secular pronoun changes in the Military that are unnatural and part from tradition, (vii) any policy that permits executive agencies to construct non-secular convenience abortion facilities on federal lands at the taxpayers expense, (viii) any new HHS rule that allows for abortion pills to be shipped to states after they have restricted and banned the deadly practice of convenience abortion in violation of the states civil and criminal codes, and (viii) all substantially similar policies in perpetuity for violating the Establishment Clause of the First Amendment of the United States Constitution for failing the three prongs of the *Lemon* Test, the endorsement test, and the coercision test in the same way that the *Roe, Casey, Obergefell, Windsor, and Bostic* decisions do for (1) lacking a primary secular purpose, for (2) cultivating an indefensible legal weapon against non-observers of the religion of secular humanism, and for excessively entangling the government with the religion of secular humanism as advocated by the licentious LGBTQ denominational sect and the pro-abortion death denominational sect;

3. Issues a preliminary and permanent injunction that requires the Defendants to table the (i) Excutive Order 14075, (ii) the soon-to-be enacted retaliation Executive Order in response to Dobbs, (iii) the Equality Act, (iv) the Women's Health Protection Act, (v) any new HHS rule that promote LGBTQ ideology or practices directly or indirectly, (vi) any new HHS rule that allows for public funds to be used for travel vouchers for those seeking to have convenience abortion, (vi) any policy that excessively promotes or endorses LGBTQ ideology and practices directly or indirectly in the Military, (vii) any policy that promotes or requires mandatory non-secular pronoun changes in the Military that are unnatural and part from tradition, (vii) any policy that permits executive agencies to construct non-secular convenience abortion facilities on federal lands at the taxpayers expense, (viii) any new HHS rule that allows for abortion pills

to be shipped to states after they have restricted and banned the deadly practice of convenience abortion in violation of the states civil and criminal codes, and (viii) all substantially similar policies in perpetuity for violating the Free Exercise and Free Speech Clauses of the First Amendment;

4. Issues a preliminary and permanent injunction that orders Defendant Biden to direct the Department of Justice and all agencies under his control, starting with HHS, to not allow any state or federal agency that the term "sex" must have the secular definition;

5. Issue a preliminary and permanent injunction to stop the Defendants from trampling on the rights reserved to the Plaintiffs under the Tenth Amendment of the United States Constitution;

6. Awards reasonable attorneys' fees, costs, and expenses; and

7. Awards a judgment in favor of the Plaintiffs based on the facts asserted in the verified amended complaint, the arguments in the motions for a preliminary and permanent injunction or motions for summary judgment.

8. Require the Defendants to show cause for not enforcing 18 U.S. Code § 1507 against the protestors outside the homes of five of Justices on the United States Supreme Court in response to the leaked *Dobbs'* decision and to show cause as to whether the Defendants intend to enforce 18 U.S. Code § 1507 if any of the Plaintiffs are threatened by the same secular humanist mob that is promising to unleash violence on them in view of their pro-life advocacy and pro-second amendment advocacy in advancing Matthew McConaughey's Law,[199] given the fact that this action relates to *Dobbs* and seeks to cure any Constitutional defects with the *Dobbs*' decision in that this case provides the textual basis of the Constitution for why *Casey* and *Roe*

[199] This is a link to the language of Matthew McConaughey's Law written for all 50 states that is a pro-second amendment anti-school shooting bill created by the Plaintiffs. https://www.dropbox.com/sh/xefcy1phkmrw69u/AADGYYzN6NOmjRDz4XnmDXg1a?dl=0

must be overruled in complete and total satisfaction of *Stare Decisis* principles in a manner that was not adequately presented in *Dobbs*;

9. To allow any interested third parties on either side to file *amicus* briefs;

10. To permit both sides to submit memorandums in support of their dispositive motions that are slightly over the jurisdictional limit if necessary to make the arguments adequately in a case involving Constitutional interpretation of the most underdeveloped area of Constitutional law;

11. Award a judgment on the arguments made in the complaint and the arguments made in separate motions for preliminary/permanent injunction or summary judgment;

12. Awards any other further and additional relief the Court deems just and proper;

13. That Plaintiff Sevier be granted ECF filing access, as he has been in every federal action that he is involved in;

14. That Attorney Greg Degeyter be admitted to the Northern District of Texas so that he may serve as the attorney of record on behalf of Plaintiffs Sciba, Nichols, Razzo, and Schwab.

VERIFIED COMPLAINT

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[Attorney For Plaintiffs Sciba, Vazzo, and Nichols application for admission into the North District Of Texas pending]

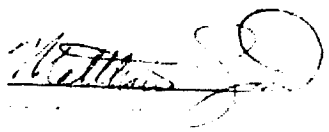
I, Matthew Sciba, declare as follows:

1. I am a Plaintiff in the present case, a citizen of the United States of America, and a resident of the State of Tyler Texas.

2. I have personal knowledge of myself, my activities, and my intentions, including those set out in the foregoing Verified Complaint for Declaratory and Injunctive Relief; and if called on to testify I would competently testify as to the matters stated herein. I will supply this Court with a separate sworn statement in support of the statements in this complaint and in support of the motions for preliminary/permanent injunction and summary judgment.

3. I verify under penalty of perjury under the laws of the United States of America that the factual statements in this Complaint concerning myself, my activities, and my intentions are true and correct.

July 4, 2022



I, Robert Vazzo, declare as follows:

1. I am a Plaintiff in the present case, a citizen of the United States of America, and a resident of Dallas Texas.

2. I have personal knowledge of myself, my activities, and my intentions, including those set out in the foregoing Verified Complaint for Declaratory and Injunctive Relief; and if called on to testify I would competently testify as to the matters stated herein. I will supply this Court with a separate sworn statement in support of the statements in this complaint and in support of the motions for preliminary/permanent injunction and summary judgment.

3. I verify under penalty of perjury under the laws of the United States of America that the factual statements in this Complaint concerning myself, my activities, and my intentions are true and correct.

July 4, 2022

R. . . t V.zzo

Robert Vazzo

I, Tammy Nichols, declare as follows:

1. I am a Plaintiff in the present case, a citizen of the United States of America, and a resident of the State of Idaho.

2. I have personal knowledge of myself, my activities, and my intentions, including those set out in the foregoing Verified Complaint for Declaratory and Injunctive Relief; and if called on to testify I would competently testify as to the matters stated herein. I will supply this Court with a separate sworn statement in support of the statements in this complaint and in support of the motions for preliminary/permanent injunction and summary judgment.

3. I verify under penalty of perjury under the laws of the United States of America that the factual statements in this Complaint concerning myself, my activities, and my intentions are true and correct.

July 4, 2022

Tammy Nichols

I, Jeremy Schwab, declare as follows:

1. I am a Plaintiff in the present case, a citizen of the United States of America, and a resident of the State of Carrollton Texas.

2. I have personal knowledge of myself, my activities, and my intentions, including those set out in the foregoing Verified Complaint for Declaratory and Injunctive Relief; and if called on to testify I would competently testify as to the matters stated herein. I will supply this Court with a separate sworn statement in support of the statements in this complaint and in support of the motions for preliminary/permanent injunction and summary judgment.

3. I verify under penalty of perjury under the laws of the United States of America that the factual statements in this Complaint concerning myself, my activities, and my intentions are true and correct.

July 4, 2022

Jeremy Schwab

Jeremy Schwab

Certificate of Service

I hereby certify that the foregoing amended complaint will be served, on July 4, 2022 on the defendants at the following mailing and email addresses:

U.S. Attorney's Office Northern District of Texas
1100 Commerce St
3rd Floor,
Dallas, TX 75242
Service of Process email:
USADC.ServiceCivil@usdoj.gov

U.S. Attorney General Merrick Garland,
U.S. DEPARTMENT OF JUSTICE
950 Pennsylvania Ave.
NW Washington, DC 20530

Sen. Jeff Merkley,
531 Hart Senate Office Building
Washington, DC 20510 Phone:
(202) 224-3753
Authorized agent for service:
elvia_montoya@merkley.senate.gov

Sen. Blumenthal
706 Hart Senate Office Building
Washington, Dc 20510
Call: (202) 224-2823
Fax :(202) 224-9673

Sec. Xavier Becerra
200 Independence Avenue, S.W.
Washington, D.C. 20201
Call: 1-877-696-6775

Rep. Judy Chu
2423 Rayburn HOB
Washington, DC 20515
Phone: (202) 225-5464
Fax: (202) 225-5467

President Joe Biden
1600 Pennsylvania Avenue NW
Washington, D.C. 20502

/s/Chris Sevier Esq./

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